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 Separate paging is given to this Part in order that it may be filed
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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 16th May, 1964 :—

Issue No.	No. and Date	Issued by	Subject
125	S.O. 1693, dated 12th May, 1964.	Ministry of International Trade.	Amendment to Export (Control) Order, 1962.
126	S.O. 1694, dated 15th May, 1964.	Ministry of Information and Broadcasting.	Approval of film specified therein.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

ELECTION COMMISSION, INDIA

New Delhi, the 16th May, 1964

S.O. 1791.—In pursuance of sub-section (6) of section 116A, of the Representation of the People Act, 1951, the Election Commission hereby publishes the decision of the High Court of Assam and Nagaland, given on the 25th March, 1964, on an appeal from the order dated the 29th December, 1962, of the Election Tribunal, Jorhat.

IN THE HIGH COURT OF JUDICATURE IN ASSAM AND NAGALAND.

FIRST APPEAL No. 6/63 (ELECTION)

From the judgment and order passed by Shri R. Medhi, Member Election Tribunal at Jorhat, on the 29th December, 1962 in the Election Petition No. 52 of 1962.

Begum Mafida Ahmed—Appellant.

Versus

Shri Rajendra Nath Barua and another—Respondents.

PRESENT :—

The Hon'ble Mr. Justice G. Mehrotra, C. J.

The Hon'ble Mr. Justice C. S. Nayudu.

The Hon'ble Mr. Justice S. K. Dutta

For the appellant.—Mr. S. K. Ghose, Mr. J. P. Bhattacharjee, Advocates.

For the respondents.—Mr. H. Goswami, Mr. B. M. Goswami, Advocates.

Date of hearing.—12th February, 1964.

Date of Judgement and order.—25th March, 1964.

JUDGMENT AND ORDER

The following judgement of the court was delivered by Mehrotra, C. J.:

This is an appeal under section 116A of the Representation of the People Act, 1951. The facts giving rise to this appeal are that the appellant contested as a candidate for the Jorhat Parliamentary Constituency in the State of Assam in the elections held in February, 1962. Shri Rajendra Nath Barua, respondent No. 1 was also a contesting candidate. Another candidate was Shri Hemchandra Saha, arrayed as respondent No. 2 to this appeal. The appellant stood on the Congress ticket while respondent No. 1 was a P.S.P. candidate and the second respondent was an independent candidate. The Jorhat Parliamentary Constituency comprises of 9 Assembly Constituencies, 5 in Jorhat Sub-Division and 4 in Golaghat Sub-Division. Polling took place in the said constituency on the 19th February 1962 and with 24th February, 1962. The counting of votes was done simultaneously at Jorhat and Golaghat on the 25th and 26th February, 1962. On the 27th February, 1962 the results were declared and Shri Rajendra Nath Barua respondent No. 1 was declared duly elected. The total number of electors in this constituency was 4,04,220, the votes polled were 1,96,268 and 10,653 votes were declared invalid. Shri Rajendra Nath Barua got 78,091 votes, while the appellant got 77,184 votes and respondent No. 2 got 30,340 votes. The appellant filed a petition challenging the election of the respondent. The reliefs claimed were as follows:—

- (a) The Election petition may be referred to an Election Tribunal,
- (b) That the election of the 1st Respondent be declared void and set aside,
- (c) That a recounting of the votes polled in Jorhat Sub-division, (Jorhat Parliamentary Constituency) in the election held in February, 1962, be orderd,
- (d) if on recount it is found that the petitioner-appellant has received a large number of votes then then the petitioner should be declared to have been duly elected.

A one-man Election Tribunal was constituted with the District Judge, Jorhat as the Presiding Officer of the Tribunal and the petition was sent to him for disposal. By his order dated the 29th December, 1962 the Tribunal rejected the petition and awarded a sum of Rs. 500/- as costs to respondent No. 1. It is against this order that the present appeal has been filed. The Tribunal rejected the prayer of the petitioner-appellant to inspect the ballot papers of the Golaghat Sub-Division of the Jorhat Parliamentary Constituency and held that the appellant has failed to prove that the result of the election was materially affected by wrongful rejection of the votes polled in her favour and errors committed at the time of the counting.

The election petition was filed on the 9th April, 1962. In paragraph 3 of the petition the petitioner-appellant states that the candidates were given to understand by a written communication issued by the Returning Officer, Jorhat that the counting of votes will take place in two Halls, No. 1 and 2 of the District Library, Jorhat. Accordingly the petitioner appointed her counting Agents in batches for the two Halls and also appointed four more counting agents for emergency. In paragraph 4 she states that she personally supervised the counting at Golaghat and she entrusted the supervisions of the counting at Jorhat to her agents. On her return from Golaghat on 27th February 1962, she understood from her agents at Jorhat that the Returning Officer at Jorhat had made last minute changes in the counting Hall which resulted in serious difficulties and anomalies and that the Returning Officer approved only 8 counting-agents of the petitioner-appellant out of 20 names by her and dismissed the rest. She further understood that the counting went on simultaneously on 34 tables in one Hall, with the result that it was humanly impossible for her agents to watch the counting effectively. Moreover, four out of eight of her agents observed Ramzan fasting and hence 4 agents of the petitioner alone had to watch the counting on 34 tables which was going on simultaneously. Her request to allow a few relievers to relieve those who observed fasting was rejected by the Returning Officer without adequate or proper reasons. In paragraph 5 she states that in the counting of votes in a Parliamentary Constituency, where lakhs of votes are involved, accuracy could not be possibly achieved unless there was a proper check at the time of counting. Counting was going on simultaneously on 34 tables. Ballot papers marked with petitioner's symbol were misplaced in the pigeon hole meant for rival candidate and it was physically impossible for her agents to know and note the particulars of such improperly accepted votes. As many as 10,653 votes were rejected as improper. The petitioner will be in a position to furnish full details of the aforesaid votes only after inspection and she prays that this Hon'ble Tribunal may be pleased to grant her such permission. The difference in the votes polled as announced between the petitioner and the P.S.P. candidate is very narrow and the petitioner has reasons to believe that if a recount is ordered and if the improperly accepted votes are excluded and improperly rejected votes are included respondent No. 1 will be found to have polled less as compared to her. Thus it is submitted that the result of election has been materially affected by the improper acceptance and rejection of votes by the persons concerned and the hasty and unchecked counting. In paragraph 6 it is set out that the illegal and improper manner of counting of the votes was repeatedly brought to the notice of the Returning Officer but all of them proved of no avail. In this paragraph it is then stated that she on 27th February 1962 at 9.30 a.m. addressed a letter to the Returning Officer, Jorhat requesting him to postpone the announcement of the result of the Jorhat Parliamentary Constituency as the figures taken by the Counting-agents of the petitioner did not tally with the official figures. She persistently requested the Returning Officer to have the recount of votes and sent an express telegram to the Chief Electoral Officer, Assam, Shillong on 27th February 1962 protesting against the illegal and improper methods adopted in counting the votes and demanding a recounting. In paragraph 7 it is stated that she has good reasons to believe that a large number of votes have been improperly received and accepted by the Returning Officer which has affected the result of the election materially. Further, on account of haste there was not check of 50 ballot paper bundles and the Returning Officer also did not make any text check. In paragraph 8 it is stated as follows:—

"It is therefore submitted that the counting of votes at Jorhat by the Returning Officer, Jorhat Parliamentary Constituency, Jorhat was not only irregular but also illegal and the figures as declared by the said officer are not correct. The procedure adopted in counting the votes resulted in improper acceptance of votes by the Returning Officer and hence the provisions laid down in section 100 of the Representation of the People Act and Rules framed thereunder are contravened."

On the 11th June, 1962 the respondent No. 2 Ram Chandra Saha filed his written statement. In paragraph 2 of the written statement it is stated that sorting and counting of votes, as was learnt, went on simultaneously both at Golaghat and Jorhat both situated at the distance of 30 miles from each other and hence it was physically impossible for a candidate to make personal supervision of sorting and counting of votes as well as proper rejection or acceptance of votes of doubtful marking. In paragraph 4 it is stated that the respondent No. 2 had the charge of supervising sorting and counting of votes only for a few hours on the last day of counting at Jorhat and he strongly felt that sorting and counting of votes was

going on very hastily at 34 tables and it continued till midnight thereby exhausting energy and efficiency of all concerned and as such it was quite impossible to check if there was even any unintentional misplacing of properly marked votes in the packets of other rival candidates or the rejection or acceptance of votes of doubtful marking was done after observing the laid down procedure. In paragraph 5 he says that the large number of votes rejected in this Parliamentary Constituency amounted to 10,653 and it was not known whether all these rejected votes were duly checked by the Returning Officer to ensure justice to both the candidates and the voters or the Presiding Officers and his assistance failed in their duties to give proper instructions to voters as regards marking these ballot papers meant for this Parliamentary Constituency. In paragraph 6 he supports the demand for the recounting of the votes in the Parliamentary constituency.

The contesting respondent No. 1 Rajendra Nath Barua filed a written statement on the 21st June, 1962. In paragraph 4 of the written statement it is stated that the counting of votes proceeded correctly according to the prescribed rules and procedure. The Returning Officer gave all facilities to the petitioner and her alleged request if any to substitute her relatives in place of her agents must be one against the rules and law. In paragraph 5 he stated that with reference to allegation made in paragraph 5 of the petition the petitioner has not given any specified instance of any irregular or wrong counting. Her allegations are mere suspicion. The petitioner's allegation of misplacing ballot papers is false. She has not given any specified instance on any annexure in support of the allegation. Such sweeping allegations are not maintainable in law. The petitioner or her agents never brought any such irregularity to the notice of the Returning Officer. In paragraph 6 it is stated that it is neither legal nor permissible to allow the petitioner to inspect the ballot papers and then find out the details for making out a case. The respondent submits that the Tribunal has no jurisdiction to accede to such an improper request as made in the petition. In paragraph 8 it is stated that it is not permissible in an election petition to allege improper rejection or acceptance of votes without giving particular thereof. In fact there was no improper acceptance or rejection of votes. In paragraph 11 it is stated that the allegations made in paragraphs 6 and 7 of the petition are imaginary, suspicious having no basis whatsoever. Besides this the respondent in paragraph 12 sets out a certain grounds as to the non-maintainability of the petition. On the 20th July, 1962 the following issues were framed:—

1. Whether the petition can lie merely for recounting of votes?
2. Whether the petition is tenable in law and whether there can be order for recounting the votes?
3. Whether the petition is properly verified and drawn up according to law?
4. Whether there are valid grounds for setting aside the election?
5. Whether there was any non-compliance of the Rules regarding counting of votes and whether any votes were improperly accepted or rejected which materially affected the result of the election as alleged in the petition?
6. What relief, if any, are the parties entitled to?

On the 6th August 1962 after the framing of the issues the appellant made an application to the Tribunal. In the application it was stated that for the decision of the Issue No. 5 the voting papers should be called for and scrutinised to find out the number of the improperly accepted and rejected votes. It was prayed in this application that before entering into any evidence the Tribunal may be pleased to direct the production of all the Ballot papers of the Jorhat Parliamentary constituency for scrutinising the Ballot papers by the Tribunal. An objection was filed by respondent No. 1 to this petition. On the 23rd August, 1962, the Tribunal passed an order after hearing the arguments of the parties on this application. The Tribunal held that the petitioner had alleged that the result of the election has been materially affected by the improper acceptance and rejection of votes, and that 10,653 votes were alleged to have been rejected as improper. Even before the application was made on the 6th August, 1962, the petitioner in paragraph 5 of the petition had already stated that the petitioner will be in a position to furnish full details of the aforesaid votes only after inspection, and she prayed for such permission as it was not possible to specify the votes wrongfully accepted or rejected. The Tribunal relying upon section 92 of the Representation of the People Act, 1951 and Rule 93 of the Conduct of Election Rules, 1961 (hereinafter called 'the Act' and 'the Rules' respectively) held that the Tribunal had power to order for production and inspection of ballot papers. The Tribunal further was of opinion that unless the petitioner

was given an opportunity to inspect as provided under Rule 93 of the Rules it was not possible for the petitioner to specify how many void votes were counted for the respondent who was declared elected and how many of her votes were improperly rejected, and for this reason in his opinion the inspection of the ballot papers was essentially necessary and it will be expedient in the interest of justice to allow an inspection of the used ballot papers kept in the custody of the returning officer, Jorhat, at that stage. He directed that if the petitioner can specify as to how many ballot papers were wrongly rejected and accepted, the question of scrutinising the ballot papers may then be taken up. The concluding portion of the order reads as follows:

"I, accordingly directed that the Returning Officer, Jorhat, will allow the petitioner, her agents and her counsels to inspect the used ballot papers of the Jorhat Parliamentary Constituency in presence of the respondents if they so desire.

The inspection should be allowed during the working hours on and from 3rd September, 1962, and finished within 8th September, 1962. The wrongly accepted and rejected ballot papers as the case may be, as pointed out by the petitioner, should be kept in separate sealed covers bearing the seals and signatures of the Returning Officer, the petitioner and the respondents.

The returning officer is also directed to show the ballot paper accounts to the petitioner. The Returning Officer will keep the packets in his custody and keep an account of the ballot papers as they stand after the inspection and these shall have to be produced before the Tribunal when called upon."

On the 1st September, 1962, the respondents' petition praying for the stay of the operation of the order directing inspection of the ballot was put up before the Tribunal and was rejected. But the respondent was directed to obtain stay order from this court. The respondent then moved this court against the order of the Tribunal allowing the application of the petitioner for the inspection of the ballot papers. This revision was summarily rejected by this court on the 5th September, 1962. Thereafter on the 10th September, 1962, the matter was put up before the Tribunal again. The Tribunal extended the time for completion of the inspection by the 27th September, 1962. On the 29th September, 1962, the Tribunal passed an order on a petition filed by the petitioner for extension of time for the inspection of the ballot papers. The Tribunal directed that as all the ballot papers could not be inspected within the time fixed and the returning officer also reports that the inspection of the ballot papers of seven more constituencies is still to be made, further time is allowed for inspection from 17th October, 1962, onwards and the returning officer had to submit his report by the 30th October, 1962. On the 30th October, 1962, the returning officer submitted a report in which he stated that the inspection of used ballot papers in respect of Titaba, Majuli and Took Constituencies and 24 polling centres of Morongi Constituency was completed by the 29th October, 1962. Three more constituencies and 21 centres of one constituency are got to be done. The inspected ballot papers have been kept in the double lock of the Treasury. The Returning Officer thus in his report stated that the inspection could not be completed within the time allowed by the court. On the 29th October, 1962, the respondent made the following application "The petitioner had obtained an order for inspection of the used ballot papers of the Jorhat Parliamentary Constituency and accordingly she completed her inspection on the 26th October, 1962. The petitioner is now claiming before the returning officer a right to have inspection of the used ballot papers of the Golaghat Sub-division as well. The case of the petitioner in her election petition is that the counting of votes at Jorhat by the Returning Officer, Jorhat Parliamentary Constituency, Jorhat, was not only irregular but also illegal and the figures as declared by the said officer, are not correct and she prays therein for recount of the votes polled in Jorhat Subdivision (Jorhat Parliamentary Constituency). The order dated the 23rd August, 1962, was clearly for inspection of the votes polled in the Jorhat Subdivision and the petitioner cannot claim any right thereunder, to have the used ballots of the Golaghat subdivision to be inspected by her, when her sole objection is against the counting of votes of the Jorhat Subdivision. It is prayed, by means of this application that the order, dated 23rd August, 1962, should be clarified and necessary instructions issued to the Returning Officer not to allow inspection of the ballot papers of the Golaghat Subdivision."

By the order, dated the 2nd November, 1962, the Tribunal directed that the inspection should be confined to the ballot papers of Jorhat Subdivisions of Jorhat Parliamentary Constituency counted at Jorhat. This order was passed by way of clarification of the previous order, dated 23rd August, 1962. The Tribunal was of opinion that as from the petition filed by the applicant it will

be clear that her objection was against the counting of votes in Jorhat only, the order of the 23rd August, 1962, must be interpreted as confined to the inspection of the ballot papers in Jorhat Subdivision and the order cannot be construed to include the inspection of the ballot papers of Golaghat Subdivision counted at Golaghat. According to the Tribunal there is no need of inspecting the papers of the Golaghat Subdivision and his earlier order was only meant for inspection of the ballot papers of the Jorhat Subdivision. The appellant could not, thus, inspect the used ballot papers of the Golaghat Subdivision of the Jorhat Parliamentary Constituency. Thereafter the appellant applied for amendment of the petition by which she sought to incorporate a specific prayer for the inspection of the ballot papers of the Golaghat Subdivision. This petition for amendment was rejected by the Tribunal by his order, dated the 6th December, 1962. The Tribunal held that if the permission was granted to the appellant at that stage, it would be violating the provisions of section 81 of the Act and the amendment will change the nature of the petition. After the evidence was led by the parties, the Tribunal scrutinised the ballot papers of Jorhat Subdivision of the Jorhat Parliamentary Constituency which were inspected by the appellant and held that the result of the inspection shows that 608 votes are alleged to have been improperly counted in favour of the respondent No. 1 and 144 votes of the appellant were improperly rejected. On this showing the Tribunal held that if all the 608 votes which are alleged to have been improperly counted in favour of respondent No. 1 were deducted from his total number and all the 144 votes of the appellant which are alleged to have been improperly rejected are added to her votes, still the respondent would be getting 155 more votes than the appellant and thus in any view of the matter the results of the election were not materially affected. On this finding he dismissed the election petition.

The main ground taken in appeal is that the Tribunal was not right in refusing permission to the appellant to inspect the used ballot papers of the Golaghat Subdivision of the Jorhat Parliamentary Constituency. The Tribunal has not correctly interpreted its earlier order of the 23rd August, 1962, by his subsequent order of the 2nd November, 1962. In the first order the Tribunal had granted permission to the appellant to inspect the ballot papers of the entire Jorhat Constituency and not only of the Jorhat Subdivision. It is further urged that the Tribunal having exercised its discretion with due regard to the circumstances of the case properly in allowing the appellant to inspect the used ballot papers of the entire Jorhat Constituency, had no valid reasons to limit the scope of its earlier order and confine it to the inspection of the ballot papers of the Jorhat Subdivision of the Jorhat Constituency. There was no justifiable reason to artificially limit the right of the appellant to inspect the ballot papers of the Jorhat Subdivision of the Jorhat Parliamentary Constituency only when the Golaghat Subdivision also is a part of the Jorhat Parliamentary Constituency. It is further urged that the Tribunal was not right in holding that the petition was confined to the recounting of the votes of the Jorhat Subdivision. It is true that the petitioner appellant had stated in the petition that numerous irregularities were committed in counting at Jorhat, but the allegation was that in the entire constituency more than 10,000 votes were rejected. The allegation thus was that the appellant was entitled to a declaration in her favour as the results of the election have been materially affected by improper rejection of the ballot papers and this allegation was in respect of the entire constituency in which more than 10,000 votes were rejected as invalid and was not confined to the Jorhat Subdivision of the Jorhat Parliamentary Constituency.

The respondent has tried to support the judgment of the Tribunal on the ground that the allegations in the petition were very vague and the petition was not in conformity with the provisions of section 83 of the Act. It is further urged that in view of the allegations in the petition the Tribunal was not justified in permitting the appellant to inspect the ballot papers even of the Jorhat Subdivision of the Jorhat Parliamentary Constituency. It is further contended that the Tribunal was right in interpreting its earlier order and that on the materials the Tribunal has correctly come to the conclusion that the appellant has failed to prove that the results were materially affected by the wrongful acceptance or rejection of the ballot papers.

It will be convenient to refer to some of the provision of the Act. Section 81 of the Act provides that an election petition calling in question any election may be presented on one or more of the grounds specified in sub-section (1) of section 100 and section 101 to the Election Commission by any candidate at such election or any elector. Section 82 deals with the parties to the petition. Section 83 reads as follows:—

“83. (1) An election petition—

(a) shall contain a concise statement of the material facts on which the petitioner relies;

- (b) shall set forth full particulars of any corrupt practice that the petitioner alleges, including as full a statement as possible of the names of the parties alleged to have committed such corrupt practice and the date and place of the commission of each such practice; and
- (c) shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908 (5 of 1908) for the verification of pleadings. (2) Any schedule or annexure to the petition shall also be signed by the petitioner."

Section 90 lays down the procedure before the Tribunal, relevant provisions whereof provides:

"90 (1) Subject to the provisions of this Act and of any rules made thereunder, every election petition shall be tried by the Tribunal, as nearly as may be, in accordance with the procedure applicable under the Code of Civil Procedure, 1908 (5 of 1908) to the trial of suits.

(3) The Tribunal shall dismiss an election petition which does not comply with the provisions of section 81, section 82 or section 117 notwithstanding that it has not been dismissed by the Election Commission under section 85."

Under section 92 the Tribunal has the powers which are vested in a court under the Code of Civil Procedure, when trying a suit in respect of the following matters:—

- (a) discovery and inspection;
- (b) enforcing the attendance of witnesses, and requiring the deposit of their expenses;
- (c) compelling the production of documents;
- (d) examining witnesses on oath;
- (e) granting adjournments;
- (f) reception of evidence taken on affidavit; and
- (g) issuing commissions for the examination of witnesses.

Section 100 sets out the grounds for declaring election to be void and sub-section (1) (d) (iii) and (iv) of section 100 which is relevant, is as follows:—

"100. (1) Subject to the provisions of sub-section (2) if the Tribunal is of opinion

- (d) that the result of the election in so far as it concerns a returned candidate has been materially affected,
- (iii) by the improper reception, refusal or rejection of any vote or the reception or any vote which is void, or
- (iv) by any non-compliance with the provisions of the Constitution or of this Act or of any rules or orders made under this Act,

the Tribunal shall declare the election of the returned candidate to be void."

Section 101 sets out the grounds for which a candidate other than the returned candidate may be declared to have been elected. This can be done if it is found that the petitioner or such other candidate received the majority of valid votes.

From the reading of section 100 it is clear that the improper reception, refusal or rejection or any vote is a ground for setting aside an election. It is also clear from section 83 that the consideration which apply to the allegations of corrupt practice as contemplated by section 83 (1) (b) would not be relevant in the case of other allegations which will be covered by section 83 (1) (a).

In paragraph 4 of the petition the irregularities committed in counting at Jerhat are set out and thereafter in paragraph 5 a general statement is made that in counting of votes in the parliamentary Constituency where lakhs of votes are involved are unless the checking is done at the proper time, there is likely to be a mistake. Thereafter specific allegation is made that ballot papers marked with the petitioner's symbol were misplaced in the pigeon hole meant for the rival candidate and as many as 10,653 votes were rejected as improper. It is further stated in this paragraph that the petitioner has reason to believe that if a recounting is ordered and if the improperly accepted votes are excluded and improperly rejected votes are included the respondent No. 1

will be found to have polled less as compared to the petitioner appellant and thus the election has been materially affected by the improper acceptance and rejection of votes by the persons concerned and the hasty and unchecked counting. These allegations with sufficient clarity set out the grounds on which the election is challenged and the ground is covered by section 100(1)(d)(iii). In effect the contention of the respondent is that as the ballot papers which were wrongly rejected or accepted are not specifically mentioned in the petition, the petition lacks the material particulars which are required to be given under section 83(1)(a). The petitioner had in the petition asked for permission to inspect the ballot papers and has undertaken to supply the specific ballot papers which in her opinion were wrongfully rejected or wrongfully accepted. At that stage the petitioner could do no more than to make a statement that she believed that there has been wrongful rejection of valid votes and wrongful acceptance of the invalid votes. It cannot be said that the petition was liable to be rejected on the ground of vagueness. Even the Tribunal did not accept the contention of the respondent and was of opinion that in the interest of justice it will be necessary to allow inspection of the ballot papers. Section 85 of the Act which gives power to the Election Commissioner to dismiss the petition in limine, only refers to section 81 or section 82 or section 117 and not section 83.

The next contention of the respondent is that the Tribunal was not justified even in allowing inspection of the ballot papers of the Jorhat Subdivision. Section 92, which I have already referred to, gives power to the Tribunal to order discovery and inspection of documents. Rule 93 of the Conduct of Elections Rules, 1961, provides as follows:—

“93(1) While in the custody of the returning officer—

- (a) the packets of unused ballot papers;
- (b) the packets of used ballot papers whether valid, tendered or rejected;
- (c) the packets of the marked copy of the electoral roll or, as the case may be, the list maintained under sub-section (1) or sub-section (2) of section 152; and
- (d) the packets of the declaration by electors and the attestation of their signatures;

shall not be opened and their contents shall not be inspected by, or produced before, any person or authority except under the order of a competent Court or tribunal.

(2) All other papers relating to the election shall be open to public inspection subject to such conditions and to the payment of such fee, if any, as the Election Commission may direct.

(3) Copies of the returns by the returning officer forwarded under rule 64 or as the case may be, under sub-rule (3) of rule 84 shall be furnished by the chief electoral officer of the State concerned on payment of a fee of two rupees for each such copy.”

Sub-rule (1) of rule 93 thus provides that the documents mentioned therein shall not be opened and inspected except under the order of a competent court or tribunal. This rule is based on the sound public policy of maintaining secrecy of the ballot papers. Section 128 lays down as follows:—

“128. (1) Every officer, clerk, agent or other person who performs any duty in connection with the recording or counting of votes at an election shall maintain, and aid in maintaining, the secrecy of the voting and shall not (except for some purpose authorised by or under any law) communicate to any person any information calculated to violate such secrecy.

(2) Any person who contravenes the provisions of sub-section (1) shall be punishable with imprisonment for a term which may extend to three months or with fine or with both.”

It is to maintain the secrecy of the ballot papers that rule 93(1) makes it clear that ballot papers cannot be inspected except by the orders of the court or tribunal. It is within the discretion of the tribunal to be exercised judicially to order or refuse inspection of the ballot papers. The order of inspection no doubt cannot be granted as a matter of course. But it is only in cases where in the petition one of the grounds is that the results of the election have been materially affected by wrongly refusing to count some of the votes cast in favour of the petitioner and wrongly counting some of the votes in favour of the respondent and further the tribunal is satisfied that in order to decide the dispute and to do

complete justice between the parties the inspection of the ballot papers was essential, that inspection of the ballot papers can be ordered.

The Tribunal in its order dated the 23rd August, 1962, observed as follows:—

“From a perusal of the petition and other papers produced, and from a consideration of the submissions made on either side, I am of opinion that unless the petitioner be given an opportunity to inspect as provided under Rule 93, mentioned above it is not possible for the petitioner to specify how many void votes were counted for the respondent who was declared elected and how many of her votes were improperly rejected.

It is for this reason that I think that an inspection of the ballot papers is essentially necessary and it will be only very expedient in the interest of justice to allow an inspection of the used ballot papers kept in the custody of the returning officer, Jorhat, at this stage.”

The Tribunal was of opinion that the justice of the case required that the petitioner appellant should be permitted to inspect the ballot papers and thereafter point out the ballot papers which were wrongly counted for the respondent and those which were wrongly excluded from the votes received by the appellant.

Strong reliance is placed by the counsel for the respondent on the Supreme Court decision in the case of ‘Ram Sewak Yadav v. H. K. Kidwai’ reported in 1964 supreme Court Notes 14. The Tribunal in this case had rejected the prayer of H. K. Kidwai who was the petitioner for the inspection of the ballot papers. On appeal to the High Court of Allahabad the decision of the Tribunal was set aside and the petition was remanded for retrial with the direction that the petitioner should be allowed an opportunity to inspect the ballot papers. On appeal to the Supreme Court this decision has been reversed. The decision of the High Court is reported in AIR 1964 All. 86 (Kidwai Hussain Kamil v. Yadav Ram Sewak and others). The full decision of the Supreme Court is not available and has not yet been reported. But a brief summary of the judgment is to be found in the Supreme Court Notes mentioned above. It is laid down by their Lordships of the Supreme Court as follows:—

“An order for inspection may not be granted as a matter of course; having regard to the insistence upon the secrecy of the ballot papers, the Court would be justified in granting an order for inspection provided two conditions are fulfilled:

(1) that the petition for setting aside an election contains an adequate statement of the material facts on which the petitioner relies in support of his case, and

(2) the Tribunal is *prima facie* satisfied that in order to decide the dispute and to do complete justice between the parties inspection of the ballot papers is necessary. But an order for inspection of ballot papers cannot be granted to support vague pleas made in the petition not supported by material facts or to fish out evidence to support such pleas. The case of the petitioner must be set out with precision supported by averments of material facts. To establish a case so pleaded an order for inspection may undoubtedly, if the interests of justice require, be granted. But a mere allegation that the petitioner suspects or believes that there has been an improper reception, refusal or rejection of votes will not be sufficient to support an order for inspection”—The case of Bhim Sen reported in 22 E.L.R. 2288 has been distinguished in this case. On the facts of that case their Lordships of the Supreme Court found that the Tribunal cannot be said to have failed to exercise its discretion properly which called for an interference by the appellate court. In the judgment of the High Court the facts of that case appear in greater detail and at page 87 of the report the High Court has set out the summary of the allegations in the petition as follows:—

“Several grounds were taken in the petition including those relating to corrupt practice on the part of Yadav Ram Sewak, the respondent No. 1. The main ground however, was that a large number of ballot papers had been declared to be invalid by the returning officer, though, in fact, they were valid and that the returning officer committed an error in not accepting a large number of tendered votes which should have been accepted.”

In that case there was a bare allegation that the petitioner suspected or believed that there has been an improper refusal or rejection of votes. In the present case the allegation cannot be regarded as a mere allegation of suspicion on the part of the petitioner. I have already referred to averments made in paragraphs

5 and 9 of the petition which clearly go to show that there was a positive assertion of material facts from which the petitioner appellant wanted the Tribunal to infer that the counting was not properly done, that more than 10,000 votes were rejected as improper and, further, that she believed that if the recounting is ordered and the improperly accepted votes are excluded and the improperly rejected votes are included, the respondent would get less votes than the appellant.

The petitioner appellant in this case also wrote to the Returning Officer requesting him to postpone the announcement of the result of the election of the Parliamentary Constituency as there was some discrepancy in the figures taken by the counting agents of the petitioner and those by the officers. It is not a case where the petitioner was simply trying to fish out evidence to support her plea. Further, in the present case the Tribunal itself held that there was a *prima facie* case to order inspection in order to do complete justice between the parties.

In the case of 'Bhim Sen v. Gopali and others reported in 22 Election Law Reports 288 it was observed at page 246 by the Supreme Court as follows.—

"In this connection it must be borne in mind that particulars in regard to the allegation of this kind could be more definitely supplied only after the ballot box opened and not till then. Rule 138 or present rule 93 provides for the production and inspection of election papers. Until the said papers are produced and inspected as provided by the said rule it would be difficult, if not impossible, for any party to allege affirmatively how many void votes had been counted in favour of the candidate declared to be duly elected. Considerations which apply to the allegations of misconduct specified in section 83(1)(b) would not be relevant in the case of the present allegations; and so, reading the original petition itself we are satisfied that the material allegations had been made with sufficient clarity by the appellant."

The two conditions laid down by the Supreme Court for granting inspection in Ram Sevak Yadav's case have been fulfilled in this case. The material facts required to be given under section 83(1) have been given in the present case and it cannot be said that the allegations are vague and that the order of inspection was sought to fish out evidence to support such a plea and further, the Tribunal itself in the present case was satisfied that in order to decide the dispute and to do complete justice between the parties inspection of the ballot papers was necessary.

The Tribunal also by its subsequent order dated the 2nd November, 1962, interpreted its earlier order dated the 23rd August, 1962, as limited to the inspection of the ballot boxes of Jorhat Subdivision, which to my mind, is not correct. Undoubtedly the Tribunal which passed the earlier order is in the best position to interpret its earlier decision. But when the earlier order is clear, the effect of the order cannot be nullified by giving an incorrect interpretation to its earlier order. The order of the 23rd August, 1962 has referred to the allegation of the petitioner that 10,653 votes were rejected as improper, which necessarily means that the petitioner had challenged the counting of the returning officer not only in respect of the Jorhat Subdivision but in respect of the entire Jorhat Parliamentary Constituency and that the Tribunal was alive of the fact. In the operative portion also he has said:

"I, therefore, hereby order the inspection of the used ballot papers of the Jorhat Parliamentary Constituency, Jorhat.

I, accordingly direct that the Returning Officer, Jorhat, will allow the petitioner, her agents and her counsels to inspect the used ballot papers of the Jorhat Parliamentary Constituency in presence of the respondents if they so desire."

The Tribunal in interpreting its earlier order, has confused the allegation with regard to the recounting with the allegation that a number of votes were improperly accepted for the respondent No. 1 and improperly excluded from the votes obtained by the petitioner appellant. The inspection of the ballot papers was allowed on the ground that this allegation could only be substantiated after the petitioner had an opportunity to inspect the ballot papers and not for supporting his allegation that the counting at Jorhat Sub-division was not properly done. On the finding that in order to do justice between the parties it was necessary to allow the appellant to inspect the ballot papers, the Tribunal could not reasonably restrict the right of the petitioner appellant to inspect the ballot papers only of the Jorhat Sub-divisions.

Mr. Goswami for the respondent has referred to the case of 'Basavish v. Bachia and others reported in XVII (1959) Election Law Reports 293. The point taken in this case was that there was a very narrow margin of 42 votes and the petitioner felt that if the votes were recounted he will be able to establish that he had obtained more votes than the first respondent. It was held that the petitioner is not entitled to have a recount of the votes as a matter of absolute right. A recount can be ordered only if he makes out a *prima facie* case that if the votes had been properly scrutinised and counted he would have got a majority of the votes. There is no doubt that the rules framed under the Representation of the People Act, 1951, set up an elaborate machinery relating to the stage of counting of votes by the returning officer, and provide ample opportunity to the candidate who has contested the election of his agents to remain present and to keep an eye on any improper action which may be taken by the returning officer. Thus a candidate who seeks to challenge an election on the ground that there has been improper reception, refusal and rejection of votes at the time of counting has ample opportunity of acquainting himself with the manner in which the ballot boxes were scrutinised and opened, and the votes were counted. He has also opportunity of inspection of rejected ballot papers, and of demanding a recount. Thus the mere allegation that on recounting the petitioner hopes that the petitioner will get more votes will not entitle the petitioner to get the inspection of the ballot papers. But in a case where the petitioner bases his petition on the ground that if the votes which have been wrongly rejected and the votes which have been wrongly counted are scrutinised, the petitioner is likely to get more votes,—there is no reason why the petitioner should not be allowed an opportunity to inspect the ballot papers.

It is difficult to appreciate the observation of the Tribunal that he saw no reason to interfere with the finding of the Returning Officer where he, being satisfied, had exercised discretion. He observed as follows:—

“But there are quite a number of votes on back side and double or multiple marks on the front side both in the accepted and rejected votes. Such votes are not valid votes. Indistinct marks for only one candidate can, however, be counted. Ballot paper bearing more marks than one cannot be accepted whether one is more prominent than the other, if the intention to vote for one cannot be gathered, and herein comes the question of discretion”.

The Tribunal has not referred to any rule to show what is the extent of the discretion to be exercised by the Returning Officer and what he meant by saying that the discretion of the Returning Officer cannot be upset by him. If the petitioner pointed out certain ballot papers to the Tribunal and contended that those have been either wrongly rejected or wrongly accepted, it was for the Tribunal to decide that matter,—no matter whether his decision may be against the decision of the Returning Officer. The Tribunal seems to have confused the question of recounting with the question of improper rejection and acceptance of votes.

The case of the petitioner-appellant as I have already indicated was that the results of the election have been materially affected by improper acceptance and rejection of votes. That being so, the proper procedure was to allow the petitioner to inspect the ballot papers and by means of an application to point out to the Tribunal the ballot papers which according to the petitioner on inspection were found to have been improperly accepted or rejected, and thereupon, the Tribunal could have scrutinised those ballot papers and decided whether the objection of the petitioner was valid or not. It does not appear from the record that after the inspection was done by the petitioner even of the Jorhat Sub-division, the petitioner was asked to specify the ballot papers which were either wrongly accepted or improperly rejected. In my opinion, therefore, the Tribunal was not right in limiting his previous order allowing inspection of the ballot papers of the Jorhat Sub-division only of the Jorhat constituency. I would, therefore, allow this appeal, set aside the order of the Tribunal and send back the case to the Tribunal to hear the petition and dispose it of according to law after allowing the petitioner to inspect the ballot papers of the Golaghat Sub-division also.

(Sd.) G. MEHROTRA,
Chief Justice.

I agree.

(Sd.) C. S. NAYUDU,

Dated Gauhati,
the 25th March, 1964.

Judge.

Dutta, J.—I have had the opportunity of going through the judgment prepared by my Lord the Chief Justice. With due respect I find myself in disagreement with him and hence give my own judgment.

This appeal is against the order of the Member of the Election Tribunal, Jorhat, in connection with the election of respondent No. 1 Shri Rajendra Nath Barua from the Jorhat Parliamentary Constituency. The facts leading to the petition are as follows: The Jorhat Parliamentary Constituency comprises of two Sub-divisions, namely Jorhat and Golaghat Sub-divisions. In the election held in February 1962 for this constituency there were three contesting candidates. The appellant Begum Mafida Ahmed was the contesting candidate on Congress ticket, respondent No. 1 Shri Rajendra Nath Barua contested the election on Praja Socialist Party ticket and Shri Hem Chandra Saha (respondent No. 2) was an independent candidate. Votes were polled by them as follows:

(1) Shri Rajendra Nath Barua	..	..	..	78,091
(2) Begum Mafida Ahmed	..	..	..	77,184
(3) Shri Hem Chandra Saha	..	..	..	30,340

There were 10,653 invalid votes. Shri Rajendra Nath Barua was declared elected. Against this election Begum Mafida Ahmed who was defeated, filed the petition. This petition was dismissed by the Tribunal and hence this appeal by her. The appellant's case, as disclosed in her petition, was that while she personally supervised the counting of votes at Golaghat, she entrusted the same at Jorhat to her agents. On her return from Golaghat on 27th February 1962 she understood from her agents at Jorhat that the Returning Officer at Jorhat made last minute changes in the counting hall which resulted in serious difficulties and anomalies and that the Returning Officer approved only eight counting agents out of twenty names given by her and dismissed the rest. She further understood that the counting went on simultaneously on thirty-four tables in one hall, with the result that it was humanly impossible for her agents to watch the counting effectively. Moreover, four out of eight of her agents observed Ramzan fasting and hence only four agents alone had to watch the counting for her. A request to allow a few relievers to relieve those who observed fasting was rejected by the Returning Officer without adequate or proper reasons. The appellant further alleged in her petition that ballot papers marked with her symbol were misplaced in the pigeon hole meant for the rival candidate and that it was physically impossible for her agents to know and note the particulars of such improperly accepted votes. As many as 10,653 votes were rejected as improper. The appellant said in her petition that she would be in a position to furnish full details of the aforesaid facts only after inspection and she prayed for permission for the same. She further said that she had good reasons to believe that a large number of votes were improperly received and accepted by the Returning Officer which had affected the result materially. The counting of votes, it was alleged, at Jorhat by the Returning Officer was not only irregular, but also illegal and the figures as declared by the said Officer were not the correct figures. It was, therefore, prayed that the election of the respondent No. 1 should be declared void. It was, further prayed that a recounting of the votes of the Jorhat sub-division should be ordered and if on recounting, it was found that the appellant had received a larger number of votes, she should be declared elected.

On the 6th August, 1962 the Appellant filed an application before the Election Tribunal praying that all the ballot papers of the Jorhat Parliamentary Constituency should be scrutinised to find out if any vote was improperly rejected or accepted.

By an application filed on the same date respondent No. 1 opposed the appellant's application on the ground that such a procedure would be against the provisions of law. The learned Member of the Tribunal by his order dated 23rd of August 1962 allowed "inspection" of the ballot papers of the Jorhat Parliamentary Constituency, Jorhat, mainly on the ground that the appellant said in her petition that she would be able to furnish full details about improper acceptance or rejection of ballot papers only after inspection. Respondent No. 1 filed a writ petition in this Court against this order but this was rejected summarily. Consequently, the ballot papers of the Jorhat sub-division were opened and inspected and the ballot papers of some centres of the Golaghat Sub-division were also opened. Thereafter, on the 29th October, 1962 the respondent No. 1 filed a petition saying that the appellant completed her inspection of the ballot papers of the Jorhat Sub-division on 26th October 1962 and was claiming her right before the Returning Officer to inspect the ballot papers of the Golaghat Sub-division as well,

So the respondent No. 1 prayed that the Tribunal's order allowing inspection should be clarified. On this the Tribunal heard arguments of both the sides and passed an order on 2nd November 1962 saying that his order dated 23rd August 1962 allowing inspection was meant for the ballot papers of the Jorhat Sub-division only. The Tribunal added that as the appellant herself wanted in her election petition the recounting of votes of the Jorhat Sub-division only, his order could not be construed to apply the ballot papers of the Golaghat Sub-division. Thereafter by a petition dated 28th November 1962 the appellant prayed for amendment of her original petition to include the inspection and recounting of the ballot papers of the entire Jorhat Parliamentary Constituency. She alleged in that petition that some irregularities and illegalities being already found during the inspection with regard to a part of the Marangi centre in the Golaghat Sub-division it was just and proper that the prayer for the amendment should be granted. This petition was rejected by the Tribunal. Thereafter the trial of the petition proceeded. Some evidence was led although the petitioner did not examine herself, and the Tribunal after taking the evidence and hearing the parties passed his order which is under appeal now.

As regards the ballot papers of the Jorhat Sub-division which were inspected, the Tribunal found that many of the ballot papers which the appellant alleged to have been improperly rejected or accepted, could not be said to have been so rejected or accepted. But even if the entire number of 608 votes regarding which the appellant objected, as having been wrongly accepted in favour of respondent No. 1 were deducted from the total number of votes polled by the said respondent, and 144 votes which the appellant alleged to have been wrongly rejected, were added to the total number of votes polled by the appellant, yet the appellant could not win. The Tribunal therefore, did not consider it necessary to scrutinise the aforesaid ballot papers and do a recounting. The inspection of the ballot papers of the Golaghat Sub-division having been refused, the election petition was rejected.

The only submission made before us is that the case should be remanded with a direction to allow the petitioner to inspect the ballot papers of the Golaghat Sub-division. The petitioner already inspected the ballot papers of the Jorhat Sub-division. It appears that she has not found enough materials as yet to succeed in her petition. She will know where she stands only if the ballot papers of the Golaghat Sub-division are inspected. It must be clearly understood that it is not the appellants case before us that the election is materially affected by any irregularities discovered till now, or that the recounting of the ballot papers which have been inspected, should be done. Her contention is that she should be allowed to inspect the ballot papers of the Golaghat Sub-division and that then and then only she will know whether any recounting would be necessary. I shall therefore confine myself to the question whether she is entitled to inspect the ballot papers of the Golaghat Sub-division.

There are provisions in the Representation of People Act, 1951 and the Conduct of Election Rules, 1961 relating to inspection, scrutiny and counting and recounting of ballot papers. Rule 54 of the above Rules authorise the Returning Officer to reject a ballot paper under certain circumstances. But sub-rule (3) of the said Rule provides that before rejecting any ballot papers the Returning Officer shall allow each counting agent present a reasonable opportunity to inspect the ballot paper. Under Rule 63 an application for recount may be made and the Returning Officer may allow the petition in whole or in part or may reject it *in toto* if it appears to him to be frivolous or unreasonable.

From the above Rules, it is clear that a ballot paper is not rejected behind the back of a candidate and his counting agent gets an opportunity of inspecting each rejected ballot paper. Secondly, a *prima facie* case has to be made out for a recount and a recount cannot be claimed as a matter of right. Thirdly, even if a recount is claimed of the whole constituency, the Returning Officer may allow recount of a few Centres in respect of which there is a *prima facie* case for a recount.

Under Section 92 of the Representation of the People Act, 1951, the Tribunal has the powers of a Civil Court including the power to order "discovery and inspection". The question is under what circumstances the Court can allow inspection of ballot papers. In this regard the law in India is the same as in England. In *Stowe Vs. Jolliffe* (1874) L.R. 9 C.P. 446, 22 W.R. 911; 30 L.T. 795, Grove, J. Intimated his opinion that a strong case would be required to justify an order for the inspection of the rejected ballot papers or counter-foils. In India, the Supreme Court has laid down in *Ram Sevak Yadav Vs. H. K. Kidwai* (C.A.

No. 1064 of 1963) the circumstances in which inspection may be allowed, as follows:

"An order for inspection may not be granted as a matter of course: having regard to the insistence upon the secrecy of the ballot papers, the Court would be justified in granting an order for inspection provided two conditions are fulfilled:

- (1) that the petition for setting aside an election contains an adequate statement of the material facts on which the petitioner relies in support of his case; and
- (2) the Tribunal is *prima facie* satisfied that in order to decide the dispute and to do complete justice between the parties inspection of the ballot papers is necessary.

But an order for inspection of ballot papers cannot be granted to support vague pleas made in the petition not supported by material facts or to fish out evidence to support such pleas. The case of the petitioner must be sent out with precision supported by averments of material facts. To establish a case so pleaded an order for inspection may undoubtedly, if the interests of justice require, be granted. But a mere allegation that the petitioner suspects or believes that there has been in improper reception, refusal or rejection of votes will not be sufficient to support an order for inspection."

In the case before us, the appellant in her original petition alleged certain irregularities in the counting of votes of the Jorhat Sub-division. There was no allegation whatsoever regarding counting of the votes of the Golaghat Sub-division. She was personally present at the counting at Golaghat. The prayer in the petition was made for recounting of the votes polled in the Jorhat Sub-division only. No prayer was made for the recounting of votes of the Golaghat Sub-division. Even in the subsequent petition made for inspection of the ballot papers of the Golaghat Sub-division, no ground was given to justify any inspection. Instead of giving a concise statement of the material facts the appellant in her election petition simply said that 10,653 votes were rejected as improper and that she would be in a position to furnish full details of the aforesaid votes only after inspection. This shows that the appellant wanted an inspection to fish out materials to find out if there was any improper acceptance or rejection of any ballot papers.

The case of *Bhim Sen Vs. Gopali & others* 22 E.L.R. 288 is cited in support of the contention that definite particulars can be supplied only after inspection. What happened in that case is as follows:—The Constituency involved was a double member constituency. Section 63(1) of the Representation of People Act provided that in plural-member constituency every elector should have as many votes as there were members to be elected but no elector should give more than one vote to any candidate. Sub-section (2) laid down that if an elector gave more than one vote to a candidate, only one vote would be taken into consideration and the rest would be rejected as void. The petitioner alleged that the Returning Officer having failed to discharge his duty of rejecting the ballot papers himself in contravention of Section 63, the petitioner 'believed' that the respondents 'could' receive many void votes. An inspection was allowed and the petitioner thereafter applied to amend the petition to say that the petitioner 'alleged' that the respondents did receive some void votes. The Tribunal allowed the amendment and allowed the petition. The High Court reversed the decision of the Tribunal and held that the Tribunal erred in law in allowing the amendment. The Supreme Court held that in a case like this, definite particulars about the number and nature of the void votes that had been counted could only be supplied after inspection of the ballot papers; the election petition as originally presented must, therefore, be regarded as having given the material particulars, and the amendment petition must be treated merely as an application for clarification of the pleadings.

It may be noted that in the original petition in the above case, in paragraph 10, there was a concise statement of material facts. It was alleged that the Returning Officer himself did not discharge the duty of rejecting the ballot papers. In a double-member Constituency it was incumbent upon the Returning Officer to go into each case of double voting. This was not done. Thus the petitioner gave grounds on which his belief that many void votes were accepted was based. These were certainly reasonable grounds on which an inspection could be allowed. But in the case before us there is not even an expression of belief or suspicion in the original petition about the ballot papers of the Golaghat Sub-division. The argument that no fact whatsoever could possibly be given till an inspection was made,

cannot be accepted. In this connection the following observation made by the Supreme Court in *Ram Sevak Yadav vs. H. K. Kidwai* (*ibid*) is apposite, *viz*:

"It must be remembered that the rules framed under the Representation of the People Act, 1951 set up an elaborate machinery relating to the stage of counting of votes by the returning officer, and provide ample opportunity to the candidate who has contested the election or his agents to remain present and to keep an eye on any improper action which may be taken by the returning officer.

There can therefore be no doubt that at every stage in the process of scrutiny and counting of votes the candidate or his agents have an opportunity of remaining present at the counting of votes, watching the proceedings of the returning officers inspecting any rejected votes and to demand a recount. Therefore, a candidate who seeks to challenge an election on the ground that there has been improper reception, refusal and rejection of votes at the time of counting, has ample opportunity of acquainting himself with the manner in which the ballot boxes were scrutinised and opened, and the votes were counted. He has also opportunity of inspecting rejected ballot papers, and of demanding a re-count. It is in the light of the provisions of section 83(1) which required a concise statement of material facts on which the petitioner relies and the opportunity which a defeated candidate had at the time of counting, of watching and of claiming a re-count that the application for inspection must be considered."

In the present case there is not a single allegation by the appellant that there was any objection by her or by any of her counting agents against the rejection or acceptance of any ballot paper by the Returning Officer. Nor did the petitioner ask the Returning Officer for re-count under Rule 63. On the other hand, she wrote a letter to the Returning Officer (Ex.A) only requesting that the announcement of the result of the election should be postponed as the official figure did not tally with the figures taken by her counting agents. There was no allegation of any irregularity in this letter also. The petitioner then sent a write (Ex.B) to the Chief Electoral Officer, Assam, Shillong as follows:

"Lodge protest counting of Jorhat Parliamentary Constituency solicit re-counting positively."

Thus, it will appear that instead of taking advantage of Rule 63 of the Conduct of Election Rules, 1961, the appellant Begum Mafida Ahmed tried her best to bring in extraneous intervention in her favour. It may be noted that in order to demand a re-counting under Rule 63, the petitioner has to take out a reasonable case. Apparently, she was not in a position to do so and that is why she sought other means than the means given to her by law.

In short, there is a complete absence in the original petition and even in the subsequent petition of any fact necessitating inspection of ballot papers of the Golaghat Sub-division and in the original petition, re-counting of votes of the Jorhat Sub-division only was prayed for. Before allowing the inspection of the ballot papers of the Jorhat Sub-division, the Tribunal should have satisfied itself that there was a *prima facie* case for inspection of those ballot papers. Unfortunately the Tribunal allowed inspection and later gave the finding that the allegations in the petition appeared to be more or less suspicious and imaginary and that nothing definite had been shown as to how there was irregularity in the counting of votes. Had the Tribunal considered the merit of the allegations before allowing the inspection, as it should have done, and come to such a finding, no inspection even of the ballot papers of the Jorhat Sub-division could then be allowed. But the inspection of the ballot papers of the Jorhat sub-division is a *fait accompli*. But as regards the ballot papers of the Golaghat Sub-division, no inspection can be granted as there is not an iota of material fact in the original or subsequent petition and consequently there is no *prima facie* case to justify such an inspection. In the result, this appeal must fail.

Dated Gauhati,
the 25th March, 1964.

Sd/- S. K. DUTTA,
Judge.

PER CURIAM

In view of the decision of the majority, the appeal is allowed and the decision of the Tribunal is set aside. The case is sent back to the Tribunal for decision according to law, after allowing inspection to the appellant of the ballot papers as directed in the judgment. The cost of this appeal will abide the result of the election petition. The hearing fee is fixed at Rs. 100/-.

Sd./- G. MEHROTRA,
Chief Justice.

Sd./- C. S. NAYUDU,
Judge.

Sd./- S. K. DUTTA,
Judge.

Dated Gauhati,
the 25th March, 1964.

[No. 82/52/62.]

By Order,

A. N. SEN, Under Secy.-

New Delhi, the 20th May 1964

S.O. 1792.—In pursuance of the sub-section (6) of Section 116A of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby publishes the decision of the High Court of Punjab at Chandigarh given on the 25th March, 1964 on an appeal from the order dated the 6th August, 1963 of the Election Tribunal (I), Chandigarh.

IN THE HIGH COURT FOR THE STATE OF PUNJAB AT CHANDIGARH
CIVIL APPELLATE SIDE

FIRST APPEAL FROM ORDER No. 11-E OF 1963

Ch. Ranbhir Singh son of Shri Chandgi Ram, Advocate, Sonapat, Tehsil Sonapat, District Rohtak—Petitioner-Appellant

Versus

1. Ch. Lehri Singh, Member Parliament, Advocate, Rohtak, District Rohtak, 2. Shri Laxmi Narain, Trivaskas, Mandir, Sonapat, Tehsil Sonapat, District Rohtak, 3. Shri Laxman Singh, Chhotu Ram Bhawan, Rohtak, District Rohtak, 4. Shri Sarup Singh B.A.L.L.B., Pleader, Gohana, District Rohtak, 5. Shri Karan Singh Malik, Village Bhalgan, Tehsil Sonapat, District Rohtak, 6. Shri Phool Singh, Village Nidhana, Tehsil Gohana, District Rohtak—Respondents.

First Appeal from order of Sri S. N. Sahai, Member of the Election Tribunal (I), Chandigarh, dated the 6th August, 1963, dismissing the petition with costs to the respondent No. 1.

Election Petition under Section 81 of the Representation of the People Act, 1951) (hereinafter called the Act).

Claim in Appeal: For reversal of the order of the Election Tribunal.

Dated the 25th March, 1964.

PRESENT:

The Hon'ble Mr. Justice Dulat,

and

The Hon'ble Mr. Justice P. C. Pandit.

For the Petitioner.—Mr. Anand Sarup, Advocate, with Mr. R. S. Mittal, Advocate.

For the Respondents.—Mr. R. Sachar, Advocate.

JUDGMENT

Learned counsel for the appellant wishes to withdraw this appeal which is, consequently, dismissed with no order as to costs as agreed to by the respondent's counsel.

25th March, 1964.

Words: 244.

Fees: 0.75 nP.

(Sd.) PREM CHAND PANDIT,
Judge.

(Sd.) S. S. DULAT,
Judge.

[No. 82/233/62].

By order,

V. RAGHAVAN, Under Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 20th May, 1964

S.O. 1793.—In exercise of the powers conferred by clause (2) of article 77 of the Constitution, the President hereby makes the following rules further to amend the Authentication (Orders and Other Instruments) Rules, 1958, published with the Notification of the Government of India in the Ministry of Home Affairs, No. S.O. 2297, dated the 3rd November, 1958, namely:—

1. These rules may be called the Authentication (Orders and Other Instruments) Third Amendment Rules, 1964.

2. In rule 2 of the Authentication (Orders and Other Instruments) Rules, 1958—

(i) in clause (y), the word “or” shall be inserted at the end;

(ii) after clause (y), the following clause shall be inserted, namely:—

“(z) in the case of orders and other instruments relating to Directorate of Estates, by the Deputy Director of Estates in charge of Litigation in that Directorate”

[No. 3/1/64-Pub. I.]

FATEH SINGH, Jt. Secy.

New Delhi, the 21st May 1964

S.O. 1794.—In pursuance of the provisions of paragraph 3 of the **Foreigners (Restricted Areas) Order, 1963**, the Central Government hereby authorises the Superintendent of Police, Kulu, (Punjab) to issue permits under the said paragraph to foreigners for entering into, or remaining in, Lahaul and Spiti district of Punjab.

[No. 6/41/64-F.I.]

R. A. S. MANI, Under Secy.

ORDER

New Delhi, the 20th May, 1964

S.O. 1795.—In pursuance of sub-rule (2) of rule 88 of the Defence of India Rules, 1962, the Central Government hereby empowers each of the magistrates of the first class in the Union territory of Himachal Pradesh to regulate the remuneration payable to, and other terms and conditions of employment of, persons who are required under sub-rule (1) of the said rule to assist in the area comprised in the jurisdiction of that magistrate.

[No. 13/17/63-P.I.]

M. SIVAGNANAM, Dy. Secy.

S.O. 1796.—Statement of the Affairs of the Reserve Bank of India, as on the 15th May, 1964

LIABILITIES	Rs.	ASSETS	Rs.
Capital paid up †	5,00,00,000	Notes	24,05,27,000
Reserve Fund	80,00,80,000	Rupee Coin	3,64,000
National Agricultural Credit (Long Term Operations) Fund	73,00,00,000	Small Coin	5,22,000
National Agricultural Credit (Stabilisation) Fund	8,00,00,000	National Agricultural Credit (Long Term Operations) Fund	
		(a) Loans and Advances to :—	
		(i) State Governments	28,30,58,000
		(ii) State Co-operative Banks	8,15,24,000
		(iii) Central Land Mortgage Banks	
		(b) Investment in Central Land Mortgage Bank	
		Debentures	3,59,36,000
Deposits :—		National Agricultural Credit (Stabilisation) Fund	
(a) Government		Loans and Advances to State Co-operative Banks
(i) Central Government	51,68,98,000	Bills purchased and Discounted :—	
(ii) State Governments	15,33,31,000	(a) Internal
(b) Banks		(b) External
(i) Scheduled Banks	85,43,70,000	(c) Government Treasury Bills	54,27,59,000
(ii) State Co-operative Banks	2,22,53,000	Balances held Abroad*	8,30,93,000
(iii) Other Banks	3,99,000	Loans and Advances to Governments**	55,65,37,000
(c) Others	159,44,33,000	Loans and Advances to :—	
Bills Payable	35,97,93,000	(i) Scheduled Banks†	68,57,23,000
Other Liabilities	82,78,20,000	(ii) State Co-operative Banks††	115,56,51,000
		(iii) Others	1,82,20,000
		Investments	199,08,05,000
		Other Assets	31,45,78,000
	Rupees		Rupees
	598,92,97,000		598,92,97,000

****Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.**

†† Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 20th day of May 1964.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 15th day of May, 1964.

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department .	24,05,27,000		Gold Coin and Bullion :—		
Notes in circulation	2570,45,01,000		(a) Held in India	117,76,10,000	
Total Notes issued		2594,50,28,000	(b) Held outside India . . . . .	..
			Foreign Securities	103,45,69,000	
			TOTAL		221,21,79,000
			Rupee Coin		101,01,52,000
			Government of India Rupee Securities		2272,26,97,000
			Internal Bills of Exchange and other commercial paper . . . . .		..
TOTAL LIABILITIES		2594,50,28,000	TOTAL ASSETS		2594,50,28,000

Dated the 20th day of May 1964

P. C. BHATTACHARYYA,
Governor.

[No. F. 3(2)-BC/64.]

A. BAKSI, Jt. Secy.

CORRIGENDUM

In the Statement of the Affairs of the Reserve Bank of India, Banking Department as on 10th April, 1964 published in the Gazette of India dated 2nd May, 1964 part II Section 3(ii) on page 1673 on the Assets side, for the figure "559,17,46,000" shown against Total Assets read 599,17,46,000.

RESERVE BANK OF INDIA

(Securities Department)

New Delhi, the 14th May 1964

S. O. 1797 —List of Government Securities in the custody of Reserve Bank of India, New Delhi on the 31st December 1963 deposited in terms of Rules 12(4)(b)(i)(i) of the Public Debt Office Rules 1946:—

Administrators,	3% Con- version Loan 1946	3% Loan 1970—75	3½% National Plan Bonds 1965	2½% Loan 1961	4% U.P. Loan 1967	3½% National Plan Bonds 1967	3½% Bonds 1962	3½% National Plan Bonds 1961	4% U. P. 1968	Total
I	2	3	4	5	6	7	8	9	10	11
Public Debt Office Reserve Bank of India, New Delhi.	200	100	6,000	500	1,000	200	100	4,900	200	13,200

Reserve Bank of India,
Public Debt Office, New Delhi.

List of Government Securities in the custody of Reserve Bank of India, New Delhi, on the 31st December 1963 deposited in terms of Rule 12(6)(b)(ii) of Public Debt Rules 1964

Administrator	Depositor	3½% Loan 1974	3% Conversion Loan 1946.	3½% Ten-Years T. S. D. C.	Total
Public Debt Office Reserve Bank of India, New Delhi.	1. Ajmer Central Co-operative Bank Ltd.	300	..	..	300
	2. Sri Sushil Kumar Rastogi	..	200	..	200
	3. Shri Shyam Sunder Lal Dhar	..	..	50,000	50,000
	TOTAL				50,500

CENTRAL

The following list of Government Securities etc. in the custody of the Reserve Bank of India, New Delhi as on the 31st December 1963 deposited under paragraph 108 of the Govt. Securities Manual (3rd Edition) is published for the information of officers concerned. Any discrepancy in the list should be brought to the notice promptly.

Index to list of Government Securities, etc., deposited under paragraph 108 of the Govt. Securities Manual (3rd Edition).

	Item No.
SOLAN	
The Secretary, Municipal Committee, Solan	20
DELHI/NEW DELHI	
Chief Administrative Officer, Govt. of India, Ministry of Defence, New Delhi	6
The Chief Chemist, Central Revenues, Control Laboratory, Govt. of India, Agricultural Research Institute, New Delhi	10
Chief Ordnance Officer, Ordnance Depot, Shakurbasti, Delhi	13
Commandant, Vehicles Depot, Delhi Cantt.	17
Commandant, Central Ordnance Depot, Delhi Cantt.	12
Commanding Officer, Air Force Station, New Delhi	16
Commanding Officer, Air Force Station, Palam	23
The Controller of Central Radio Stores Depot, Civil Aviation Deptt., New Delhi	19
Currency Officer, Reserve Bank of India, Issue Department, New Delhi	7
Dy. Commissioner and Chairman, Distt. Soldiers, Seamen's and Airmen's Board, Delhi	3
Director, Malaria Institute of India, Delhi	9
Director General of Supplies and Disposals, New Delhi	8
Director of Administration, Govt. of India, Ministry of Food & Agriculture, Deptt. of Agriculture, New Delhi	15
Registrar, Indian Agricultural Research Institute, New Delhi	22
Executive Engineer, C-Division, C.P.W.D., New Delhi	2
General Manager, Govt. of India Press, New Delhi	11
Housing Commissioner, Ministry of Works, Housing and Supply, New Delhi	32
Officer Commanding 39, Aslt. Fd. Pk. Coy. C/o 56 A. P. O. New Delhi	18
Pay & Accounts Officer, Ministry of Food & Agriculture, New Delhi	14
President of India, C/o Secretary to Govt. of India M/o Home Affairs, New Delhi	4
Regional Director (Food) Govt. of India, Ministry of Food and Agriculture, Northern Region, New Pusa, New Delhi	21
Secretary to Govt. of India, Ministry of Home Affairs, New Delhi	5
Controller of Printing & Stationery, New Delhi	1
Under Secretary to the Govt. of India, Ministry of Transport & Communication (Communication Deptt.) New Delhi	29
Under Secretary to Govt. of India, Ministry of Rehabilitation, New Delhi	30
Under Secretary to the Govt. of India, Ministry of Transport & Communication (Deptt. of Transport) New Delhi	31
Under Secretary to the Govt. of India, Ministry of External Affairs, New Delhi	35
Under Secretary to the Govt. of India, Ministry of Works, Housing & Supply, New Delhi	33
Under Secretary to Govt. of India, Department of Mines and Fuel, Ministry of Steel, Mines and Fuels, New Delhi	34
Administrative Officer, Govt. of India, Delhi Polytechnic, Delhi	24
Administrative Officer, Govt. of India, M/o Food and Agriculture, Army Purchase Organisation (Deptt. of Food) New Delhi	25
Chief Director of Purchase Govt. of India, Ministry of Food and Agriculture, Army Purchase Organisation (Deptt. of Food) New Delhi	26
Maintenance Engineer, All India Radio, New Delhi	27
Chief Engineer, C.P.W.D., New Delhi	28
Deputy Commissioner, Delhi	36
Director of Advertising & Visual Publicity, M/o Information and Broadcasting, New Delhi	37

List of Government Securities in the custody of the Reserve Bank of India, New Delhi, as on the 31st December 1963, deposited under paragraph 108 of the Government Securities Manual (3rd Edition)

Sl. No.	Name of person or fund on whose behalf held.	4½% Loan 1986	4% Loan 1981	P. O. 5-Year Cash Certificate	3½% N. P. Loan 1964	3% Loan 1964	3½% N.P. Bonds 1965	3½% N.P. Bonds 1967	3% Loan 1963-65
1	The Controller of Printing & Stationery, New Delhi.	..	..	..	..	..	..	..	..
2	The Executive Engineer 'C' Division, C.P.W.D., New Delhi	..	..	..	..	..	..	..	..
3	Deputy Commissioner & Chairman, Distt. Soldiers, Seamen's & Airmen's Board, Delhi	..	..	..	..	..	..	..	..
4	President of India C/o Secretary to Government of India, Ministry of Home Affairs, New Delhi	..	..	..	..	..	..	..	..
5	Secretary to Govt. of India, Ministry of Home Affairs, New Delhi.	..	..	..	..	..	..	..	..
6	Chief Administrative Officer, Govt. of India, Ministry of Defence, New Delhi.	..	..	..	..	..	..	..	..
7	Currency Officer, Reserve Bank of India, Issue Department, New Delhi.	..	..	18,410	..	100	..	..	..
8	Director General of Supplies & Disposals, New Delhi.	3,000	22,000	..	41,200	..	14,800	2,000	3,000
9	Director, Malaria Institute of India, Delhi.	..	..	..	..	..	..	..	..
10	The Chief Chemist, Central Revenues, Control Laboratory, Government of India, Agriculture Research Institute, New Delhi.	..	..	..	..	..	..	..	..
11	The General Manager, Government of India Press, New Delhi	..	..	..	..	..	..	..	..
12	Commandant, Central Ordnance Depot., Delhi Cantt.	..	..	..	..	..	..	..	..
13	Chief Ordnance Officer, Ordnance Depot., Shakurbasti, Delhi	..	..	..	..	..	..	..	..
14	Pay & Accounts Officer, Ministry of Food and Agriculture New Delhi.	..	..	..	91,000	..	6,000	102,500	..
15	Director of Administration, Govt. of India, Ministry of Food & Agriculture Dept. of Agriculture, New Delhi.	..	..	..	..	..	..	..	..
16	Commanding Officer, Air Force Station, New Delhi.	..	..	..	..	..	..	..	..
17	Commandant, Vehicles Depot, Delhi Cantt.	..	..	..	..	..	..	..	..
18	Officer Commanding 39 Aslt. Fd. Pk. Coy. C/o 56 A.P.O. New Delhi.	..	..	..	..	..	..	..	..
19	The Controller, Central Radio Stores Depot, Civil Aviation Deptt., New Delhi.	..	..	..	..	..	..	..	..

20	The Secretary, Municipal Committee, Solan.	..	..	..	..	..	..	..	..
21	Regional Director (Food) Govt. of India, Ministry of F. & A., Northern Region, New Pusa, New Delhi.	..	..	..	..	..	..	..	..
22	Registrar, Indian Agricultural Research Institute, New Delhi.	..	..	..	..	..	..	..	..
23	Commanding Officer, Air Force Station, Palam.	..	..	..	..	..	..	..	..
24	Administrative Officer, Govt. of India, Delhi Polytechnic Delhi	..	..	..	..	..	..	..	..
25	Administrative Officer, Govt. of India, Ministry of Food & Agriculture, Army Purchase Organisation, (Deptt. of Food), New Delhi.	..	..	..	..	..	..	..	..
26	Chief Director of Purchase, Govt. of India, Ministry of Food & Agriculture, Army purchase Organisation (Deptt. of Food), New Delhi	..	..	..	..	..	3,000	..	..
27	Maintenance Engineer, A.I.R., New Delhi	..	..	..	..	..	..	..	..
28	Chief Engineer, C.P.W.D., New Delhi	..	..	..	..	..	..	..	..
29	Under Secretary to the Govt. of India, Ministry of Transport & Communication (Communication Deptt.), New Delhi.	Shares of Indian Telephone Industries Ltd. 359 scrip of 3,58,545 shares Shares of Hindustan Teleprinters Ltd., 11 scrips of 74,998 shares.							
30	Under Secretary to the Govt. of India, Ministry of Rehabilitation, New Delhi.	Share certificates of Rehabilitations Housing Corporation Ltd., Delhi—7 scrip of 20,000 shares.							
31	Under Secretary to the Govt. of India, Ministry of Transport & Communication (Deptt. of Transport), New Delhi.	53 scrips of 57,445 shares of the Hindustan Shipyard Ltd.							
32	Housing Commissioner, Ministry of Works Housing and Supply, New Delhi	Shares of Ashoka Hotels Ltd., 5 scrips of 48,581 shares and 2 scrips of 33,995 ordinary shares of Rs. 100/- each of Hindustan Housing Factory Ltd., 7 scrips of 8,389 shares of Rs. 1,000/- each of National Building Construction Corporation Ltd.							
33	Under Secretary to the Govt. of India, Ministry of Works, Housing and Supply, New Delhi.	5 scrips of 5,998 shares of Hindustan Housing Factory Ltd.							
34	Under Secretary to the Govt. of India, Deptt. of Mines and Fuel, Ministry of Steel, Mines and Fuels, New Delhi.	8 scrips of 1,40,000 shares of Oil India Private Ltd. and 35 scrips of 383,521 shares of National Coal Development Corporation Ltd.							
35	Under Secretary, (UN) to the Govt. of India, Ministry of External Affairs, New Delhi.	2 scrips of 11,99,998 shares of Singureni Co. Ltd. One United Nation Bond for \$ 20,00,000							
36	Deputy Commissioner, Delhi.	..	..	..	..	..	..	..	..
37	Director of Advertising & Visual Publicity Ministry of Information & Broadcasting, New Delhi.	..	..	..	..	..	..	..	..

20	The Secretary, Municipal Committee, Solan	..	..	..	..	..	..	..	..	..
21	Regional Director (Food) Govt. of India, Ministry of F. & A., Northern Region, New Pusa, New Delhi.	..	..	..	..	..	..	..	..	..
22	Registrar, Indian Agricultural Research Institute New Delhi.	..	..	..	..	..	..	..	..	50
23	Commanding Officer, Air Force Station, Palam.	..	..	..	..	..	..	..	..	..
24	Administrative Officer, Govt. of India, Delhi Polytechnic, Delhi.	..	..	..	..	..	..	..	..	..
25	Administrative Officer, Govt. of India, Ministry of Food & Agriculture, Army Purchase Organisation, (Deptt. of Food), New Delhi.	..	..	..	6,200	1..	..	..	..	..
26	Chief Director of Purchase, Govt. of India, Ministry of Food & Agriculture, Army Purchase Organisation, (Deptt. of Food) New Delhi.	..	..	..	..	13,800	5,200	..	..	3,300
27	Maintenance Engineer, A.I.R., New Delhi.	..	..	..	..	..	..	..	..	..
28	Chief Engineer, C.P.W.D., New Delhi.	..	..	..	..	..	..	..	..	..
29	Under Secretary to the Govt. of India, Ministry of Transport & Communication (Communication Deptt.) Delhi	Spares of Indian Telephone Industries Ltd. 359 scrip of 3,58,545 shares, Shares of Hindustan Teleprinters Ltd., 11 scrips of 74,998 shares.								
30	Under Secretary to the Govt. of India, Ministry of Rehabilitation, New Delhi.	Share certificates of Rehabilitations Housing Corporation Ltd. Delhi—7 scrip of 20,000 shares.								
31	Under Secretary to the Govt. of India, Ministry of Transport & Communication (Deptt. of Transport), New Delhi.	53 scrips of 57,445 shares of the Hindustan Shipyard Ltd.								
32	Housing Commissioner, Ministry of Works, Housing and Supply, New Delhi.	Shares of Ashoka Hotels Ltd. 5 scrips of 48,581 shares and 2 scrips of 33,995 ordinary shares of Rs. 100/- each of Hindustan Housing Factory Ltd., 7 scrips of 8,389 shares of Rs. 1,000/- each of National Building Construction Corporation Ltd. 5 scrips of 5998 shares of Hindustan Housing Factory Ltd.								
33	Under Secretary to the Govt. of India, Ministry of Works, Housing and Supply, New Delhi.	8 scrips of 1,40,000 shares of Oil India Private Ltd. and 35 scrips of 383,521 shares of National Coal Development Corporation Ltd.								
34	Under Secretary to the Govt. of India, Deptt. of Mines and Fuel, Ministry of Steel, Mines and Fuels. New Delhi.	2 scrips of 11,99,998 shares of Singureni Co. Ltd.								
35	Under Secretary (UN) to the Govt. of India, Ministry of External Affairs, New Delhi.	One United Nation Bond for \$20,00,000								
36	Deputy Commissioner, Delhi.	..	..	..	..	..	..	..	..	..
37	Director of Advertising & Visual Publicity Ministry of Information & Broadcasting, New Delhi.	..	..	..	..	..	..	..	..	..

[illegible]

CENTRAL

The following list of Government Securities etc. in the custody of the Reserve Bank of India, New Delhi, as on the 31st December, 1963 deposited under paragraph 101 of the Government Securities Manual (3rd Edition) is published for the information of officers concerned. Any discrepancy in the list should be brought to the notice promptly.

DELHI/NEW DELHI		Item No.
Central Board of Irrigation & Power, Curzon Road, New Delhi]	. . . . .	20
Director, All India Institute of Medical Sciences, New Delhi	. . . . .	21—24
Chief Commissioner, Delhi	. . . . .	11
Chief Engineer, C.P.W.D., New Delhi	. . . . .	29
District & Sessions Judge, Delhi	. . . . .	33
Deputy Commissioner, Delhi	. . . . .	34
Director, Indian Council of Medical Research, New Delhi	. . . . .	1—3
District Judge, Delhi	. . . . .	14—18
Director General, All India Radio, New Delhi]	. . . . .	12—13
Director General, Supplies & Disposals, I.J.C. Building, New Delhi]	. . . . .	25—28
Director General of Archaeology in India, New Delhi	. . . . .	7
Officer Commanding, 140 Medium Regt. (TA) c/o 56 A.P.O.	. . . . .	36
Financial Adviser & Chief Accounts Officer, Northern Railway, New Delhi	. . . . .	30
Honorary Treasurer, All Indian Women's Education Fund Association, New Delhi	. . . . .	4
Land Development Officer, New Delhi]	. . . . .	6
Chief Director Purchases, Ministry of Food & Agriculture, New Delhi]	. . . . .	35
Pay & Accounts Officer, Ministry of Food & Agriculture, New Delhi	. . . . .	37—40
Pay & Accounts Officer, Works, Housing & Supply, New Delhi	. . . . .	9
Secretary to the Govt. of India, Ministry of Defence, New Delhi	. . . . .	5
Under Secretary to the Government of India, Ministry of Home Affairs, New Delhi	. . . . .	19
Vice-President and Additional Secretary Indian Council of Agricultural Research, New Delhi	. . . . .	8

GORAKHPUR

Financial Adviser & Chief Accounts Officer, North Eastern Railway,
Gorakhpur 31-32

MEERUT

Joint Controller of Defence Accounts, Meerut 10

Securities held by the Reserve Bank of India, New Delhi, as on the 31st December, 1963, deposited under paragraph 101 of the Government Securities Manual (3rd Edition).

SL No.	Administrators	Depositor	4% Loan 1981	4% Loan 1979	4% Loan 1972	4% M.P. Loan 1967	4% M.P. Loan 1968	3½% N.P.B. Loan 1965	3½% N.P.B. 1967	4% 1980
<i>Account</i>										
1	Director, Indian Council of Medical Research, New Delhi		..	..	..	..	..	..	..	..
2	Do.	Parlakimedi Trust Fund	..	..	..	..	..	..	..	..
3	Do.	Lt. Col. Amir Chand Trust Fund	..	..	..	..	..	..	..	..
4	Hony. Treasurer, All India Women's Education Fund Association, New Delhi.	All India Women's Education Fund Association	..	..	..	..	..	..	..	..
5	Secretary to the Govt. of India, Ministry of Defence New Delhi.	40th Cavalry Regiment Scholarship Fund	..	..	..	..	..	..	..	..
6	Land Development Officer, New Delhi.	Annual Rent of Shri Sanatan Dharma Sabha Lakshmi Narain Temple Trust & Buddhist Temple	..	..	..	..	..	..	..	..
7	Director General of Archeology in India, New Delhi.	Registrar, University of Calcutta	..	..	..	..	..	..	..	..
8	Vice President & Additional Secretary, Indian Council of Agricultural Research, New Delhi.	Indian Council of Agricultural Research	36,07,000	8,22,400	9,52,800	..	..	..	..	1,79,800
9	Pay & Accounts Officer, Ministry of W.H. & S., New Delhi.	M/s. Meckanzie Lyall & Co., Calcutta.	..	..	..	..	..	..	..	..
10	Joint Controller of Defence Accounts, Meerut.	Sir Pratap Singh Memorial Scholarship Trust Fund	..	..	..	..	..	..	..	..
11	Chief Commissioner, Delhi	Itmaduddaula Endowment Trust	..	..	..	..	..	..	..	..

12	Director General, A.I.R. New Delhi.	M/s. Royal Printing Works Madras	..	..	..	..	..	..	..	..
13	Do.	M/s. Free India (P) Ltd., Madras	..	..	..	..	..	..	..	..
14	District Judge, Delhi	Lachmi	..	..	..	..	..	9,700	..	..
15	Do.	Mst. Niadri	..	..	..	..	..	20,700	..	..
16	Do.	Mst. Khima	..	..	..	..	..	8,800	..	..
17	Do.	Mst. Sukh Devi	..	..	..	..	..	8,100	..	..
18	Do.	Ram Bhool Minor	..	..	..	..	..	600	..	..
19	U/Secy. to the Govt. of India, M/o Home Affairs, New Delhi.		..	..	..	..	..	..	72,71,000	..
20	Central Board of Irrigation & Power, Curzon Road, New Delhi.		..	..	..	..	..	2,00,000	..	..
21	Director, All India Institute of Medical Sciences, New Delhi.	Contributory Provident Fund Money	..	..	..	..	..	..	..	..
22	Do.	Lt. Col. Amir Chand Donation Fund	..	..	..	..	..	..	..	..
23	Do.	Chechamma Memorial Trust Fund	..	..	..	..	..	..	..	..
24	Do.	Scholarship Fund Anonymous Donor	..	..	..	..	..	..	..	..
25	D.G.S. & D., N.I.C. Bldg. New Delhi.	Madhya Pradesh Electricity Board	..	..	..	30,000	70,000	..	..	..
26	Do.	Gujarat State Electricity Board Baroda	..	..	..	..	..	..	..	..
27	Do.	Municipal Commissioner for Greater Bombay	..	..	..	..	..	..	..	..
28	Do.	Maharashtra Housing Board	..	..	..	..	..	..	..	..

15	Do.	Mst. Niaderi	.	.	..	..	..	..	..	20,700
16	Do.]	Mst. Khima	.	.	..	..	..	..	..	8,800
17	Do.	Mst. Sukh Devi	.	.	..	..	..	..	..	8,100
18	Do.	Ram Bhool Minor	.	.	..	..	..	..	..	600
19	U/Secy. to the Govt. of India, M/o Home Affairs, New Delhi.		..	..	..	6,17,700	..	..	..	78,88,700
20	Central Board of Irrigation & Power, Curzon Road, New Delhi.		..	..	..	..	..	..	..	2,00,000
21	Director, All India Institute of Medical Sciences, New Delhi.	Contributory Provident Fund Money	..	..	..	7,84,100	..	..	..	7,84,100
22	Do.	Lt.-Col. Amir Chand Dona- tion Fund	..	..	..	26,900	..	..	..	26,900
23	Do.	Checharma Memorial Trust Fund	..	..	..	1,99,600	..	..	..	1,99,600
24	Do.	Scholarship Fund Anonymous Donor	..	..	..	6,600	..	..	..	6,600
25	D.G.S. & D. N.I.C. Bldg. New Delhi	Madhya Pradesh Electricity Board	..	..	..	..	..	..	..	1,00,000
26	Do.	Gujarat State Electricity Board Baroda	..	..	2,00,000	..	..	..	..	2,00,000
27	Do.	Municipal Commissioner for Greater Bombay.	..	..	..	..	3,00,000	..	..	3,00,000
28	Do.	Maharashtra Housing Board	..	..	..	..	..	..	2,00,000	2,00,000

Sl. No.	Administrator	Depositor	3 1/2% Bonds 1966	3 1/2% Bonds 1969	4% T.S. D.C.	3% 1964	3 1/2% N.P.L. 1964	3 1/2% N.P.B. 1965	4 1/4% N.D. Bonds 1972	4% 1972
29	Chief Engineer, C.P.W.D. New Delhi.	A/c. Contractor . . .	..	..	..	45,000	1,000	..	..	..
30	Financial Adviser & Chief Accounts Officer, Northern Rly. New Delhi.	Account : Contractors . .	6,000	2,800	16,500	70,000	17,000	42,400	..	200
31	F.A. & C. A.O. North Eastern Rly. Gorakhpur.	Contractor . . .	..	11,900	..	..	1,000	1,000	5,800	..
32	Do.	Government Servants . .	..	..	..	..	..	..	..	..
33	District and Sessions Judge, Delhi.	Sis Ganj, Gurdwara . . .	..	..	..	..	..	..	..	..
34	Deputy Commissioner Delhi.	Mirza Latafat Hussain Tehsil Bailiff.	..	..	..	..	..	..	..	..
35	Chief Director of Purchase M/o. Food and Agriculture, New Delhi.	Contractors	..	..	..	..	..	..	..	..
36	Officer Commanding 140 Medium Regt. (TA) C/o. 56 APO	..	..	..	..	..	—500	..	..	..
37	Pay and Accounts Officer, M/o Food and Agriculture, New Delhi.	M/s. Malwa Vanaspati & chemical Co. Ltd., Indore.	..	..	..	..	..	..	..	..
38	Do.	Wallace Flour Mills Co. Ltd. Bombay.	..	..	..	..	..	1,01,400	..	..
39	Do.	Indian Mining, Federation & Indian Colliery Owner's Association.	..	..	..	..	5,00,000	..	..	..
40	Do.	Ram Lal Harbans Lal, Jullundur.	..	..	..	..	..	..	..	..
41	Do.	M/s. Indian Vegetable Products Ltd., Bombay.	..	20,000	..	..	..	..	..	..
42	Do.	Salig Ram Nathani Raipur .	..	..	..	..	..	..	..	..
43	Do.	Manmal Uttam Chand	..	..	..	..	..	..	..	..
44	Do.	D. and P. Products Ltd., Bombay.	..	..	..	..	..	5,000	..	..
45	Do.	R. B. Jesaram Fateh Chand.	..	..	..	..	10,000	..	..	..
46	Do.	Amrit Vanaspati and Co. Ltd.	..	..	..	..	..	..	..	..

47	Do.	.	.	.	M/s. R. Sen & Co. Calcutta.	..	..	..	..	..	..	..	..
48	Do.	.	.	.	M/s. Delhi Cloth & General Mills Co. Ltd., Delhi.	..	..	..	..	..	..	..	..
49	Do.	.	.	.	Ghoshal Banerjee & Co., Calcutta.	..	..	..	..	5,400	..	..	..
50	Do.	.	.	.	Smt. Saradambal, Madras	..	..	..	..	5,400	..	..	..

Serial No.	Administrator	Depositor	3% 1970-75	3 3/4% 1974	3% Con. 1946	3% 1896-97	4% N.P. 1967	4% M.P. 1968	4 1/4% Behar 1972	4% Loan 1969
29	Chief Engineer, C. P. W. D., New Delhi.	A/c. Contractor.	99000	21000	80100	..	..	..	..	..
30	Financial Adviser and Chief Accounts Officer, Northern Rly., New Delhi.	Account: Contractors	54200	..	262000	..	..	..	..	125600
31	F.A. & C.A.O., North Eastern Rly., Gorakhpur	Contractor	39800	..	65200	2000	..	..	30000	..
32	Do.	Government Servants	..	..	..	2100	..	..	..	..
33	District and Session Judge, Delhi.	Sis Ganj, Gurdwara.	..	..	33300	..	..	..	..	..
34	Deputy Commissioner Delhi	Mirza Latafat Hussain Tehsil Baillif.	..	..	..	100	..	..	..	..
35	Chief Director of Purchase M/o. Food and Agriculture, New Delhi.	Contractors	..	..	..	..	..	..	..	..
36	Officer Commanding 140 Medium Regt. (TA) C/o 56 APO.		..	..	..	..	..	..	..	..
37	Pay and Accounts Officer, M/o. Food and Agriculture, New Delhi.	M/s. Malwa Vanspati and Chemical Co. Ltd., Indore.	..	..	..	..	..	..	..	..
38	Do.	Wallace Flour Mills Co. Ltd., Bombay.	..	..	..	..	..	..	..	..
39	Do.	Indian Mining, Federation and Indian Colliery Owner's Association.	..	..	..	..	..	..	..	..
40	Do.	Ram Lal Harbans Lal, Jullundur.	25000	..	..	..	..	..	..	..
41	Do.	M/s. Indian Vegetable Pro- ducts Ltd., Bombay.	..	..	..	..	..	..	..	..
42	Do.	Salig Ram Nathani, Raipur	..	..	..	..	6000	5000	..	..
43	Do.	Manimal Uttam Chand	..	..	25000	..	..	..	..	..
44	Do.	D. & P. Products Ltd., Bombay.	..	..	..	..	..	..	..	..
45	Do.	R. B. Jesarans Fatch Chand	..	..	..	..	..	..	..	..
46	Do.	Amrit Vansapati & Co. Ltd.	..	..	..	..	..	..	..	..

47	Do.	. .	M/s. R. Sen & Co., Calcutta	..	..	18500	..	..	..	..	..
48	Do.	. .	M/s. Delhi Cloth & General Mills Co. Ltd., Delhi.	..	..	30000	..	..	..	..	..
49	Do.	. .	Ghoshal Banerjee & Co., Calcutta.	..	..	..	..	..	..	..	..
50	Do.	. .	Smt. Saradambal, Madras	..	..	..	..	..	..	..	..

Serial No.	Administrator	Depositor	4% U.P. 1971	4 1/4% U.P. 1970	3 1/4% U.P. E.E. Act Bonds	4% U.P. 1967	3% M.P. 1964	4% Bombay 1971	4% Loan 1973	4% 1980	Total
9	Chief Engineer, C.P.W.D., New Delhi.	A/c. Contractor . . .	..	..	..	..	..	..	..	..	2,46,100
	Financial Adviser and Chief Accounts Officer, Northern Ry., New Delhi.	Account : Contractors . . .	..	..	..	..	20000	264700	..	62700	9,44,100
31	F.A. & C.A.O., North Eastern Ry., Gorakhpur.	Contractor . . .	6000	..	..	..	..	..	..	..	1,62,700
32	Do.	Government Servants . . .	..	..	2000	..	..	..	..	..	4,100
33	District and Sessions Judge, Delhi.	Sis Ganj, Gurdwara . . .	..	..	..	..	..	..	..	..	33,300
34	Deputy Commissioner, Delhi	Mirza Latafat Hussain Tehsil Bailiff.	..	..	..	..	..	..	..	..	100
35	Chief Director of Purchase M/o. Food and Agriculture, New Delhi.	Contractors . . .	500	10000	..	..	..	..	..	..	10,500
36	Officer Commanding 140 Medium Regt. (TA) C/o 56 APO.		..	..	..	..	..	..	..	..	500
37	Pay and Accounts Officer, M/o Food and Agriculture, New Delhi.	M/s. Malwa Vanaspati & Chemical Co. Ltd., Indore	..	..	..	..	..	..	21000	..	21,000
38	Do.	Wallace Flour Mills Co. Ltd., Bombay.	..	..	..	..	..	..	..	..	1,01,400
39	Do.	Indian Mining, Federation and Indian Colliery Owner's Association.	..	..	..	..	..	..	..	..	5,00,000
40	Do.	Ram Lal Harbans Lal Jullundur.	..	..	..	..	..	..	..	..	25,000
41	Do.	M/s. Indian Vegetable Products Ltd., Bombay.	..	..	..	..	..	..	..	..	20,000
42	Do.	Salig Ram Nathani Raipur .	..	..	..	..	..	..	..	..	11,000
43	Do.	Manmal Uttam Chand .	..	..	..	..	..	..	..	..	25,000
44	Do.	D. and P. Products Ltd., Bombay.	..	..	..	..	..	..	..	..	15,000
45	Do.	R. B. Jesaram Fateh Chand	..	..	..	..	..	..	..	..	10,000
46	Do.	Amrit Vanaspati & Co. Ltd.	..	..	..	5300	..	..	..	..	5,300

47	Do.	.	.	.	M/s. R. Sen & Co. Calcutta.	..	..	..	..	..	..	..	18,500
48	Do.	.	.	.	M/s. Delhi Cloth & General Mills Co. Ltd., Delhi.	..	..	..	..	..	..	..	30,000
49	Do.	.	.	.	Ghosal Banerjee & Co., Calcutta.	..	..	..	..	..	..	..	5,400
50	Do.	.	.	.	Smt. Saradambal, Madras.	..	..	..	..	..	..	..	00
													5,4

[No. P. DO/Sec./11419/A-G (Adm) 62.]
(Sd.) Illegible

CENTRAL BOARD OF DIRECT TAXES

INCOME-TAX

New Delhi, the 16th May 1964

S.O. 1798.—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following further amendments in the Schedule appended to its notification S.O. 1447 dated the 2nd May, 1964 (No. 24-Incometax F. No. 50/1/64-IT dated 25-4-64), namely:—

In the said Schedule under the existing entries in Col. 2 against 'B' Range, Hyderabad, Visakhapatnam, Vijaywada and Kurnool ranges, the following shall be substituted, namely:—

'B' Range, Hyderabad.

1. B-Ward, Hyderabad.
2. I.T. cum W.T. Circle I, Hyderabad.
3. Special Investigation Circle, Hyderabad.
4. M.P.P. Circle, Hyderabad.
5. Special Survey Circle No. I, Hyderabad.
6. Special Survey Circle No. II, Hyderabad.
7. Warangal.
8. Karimnagar.
9. Mahaboobnagar.

Visakhapatnam.

1. Visakhapatnam.
2. Vizianagaram.
3. Srikakulam.
4. Anakapalli.
5. Rajahmundry.
6. Kakinada.
7. Palakol.
8. Ramachandrapuram.

Vijaywada.

1. Vijaywada.
2. Masulipatam.
3. Gudiwada.
4. Guntur.
5. Tenali.

Kurnool

1. Kurnool.
2. Adoni.
3. Anantapur.
4. Cuddapah.
5. Proddatur.

This notification shall take effect from 15-6-64.

Explanatory Note

Amendments have become necessary on account of the creation of new circles in the commissioner's charge.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 34(F. No. 50/1/64-ITJ).]

New Delhi, the 22nd May 1964

S.O. 1799.—In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes

hereby makes the following amendments in the Schedule appended to its notification S.O. 1621 (Incometax-31-F.No. 50/15/63-IT dated 11th May, 1964) dated 16th May, 1964, namely:—

In the said schedule against Range-I, Kanpur, Range-I, Lucknow and Meerut under col. 2, the following entries shall be substituted, namely:—

Kanpur Range-I.	1. District I, Kanpur.
	2. Salary Circle, Kanpur.
Range-I, Lucknow.	1. Project Circle, Lucknow.
	2. A. B & E Ward of Lucknow Circle.
	3. Sitapur.
	4. Special Investigation Circle, Lucknow.
Meerut.	1. Meerut.
	2. Special Investigation Circle 'A' Meerut.
	3. Special Investigation Circle 'B' Meerut.
	4. Salary Circle, Meerut.
	5. Project Circle, Meerut.
	6. Estate Duty-cum-Incometax Circle, Meerut.
	7. Special Survey Circle, Meerut.
	8. Ghaziabad.

Explanatory Note

The amendments have become necessary on account of the creation of new circles in the Commissioner's charge.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 35(F. No. 50/15/63-ITJ).]

S. DWIVEDI, Under Secy.

INCOME-TAX

New Delhi, the 18th May 1964

S. O. 1800. In exercise of the powers conferred by section 126 of the Income-tax Act, 1961 (43 of 1961) and in supersession of the Board's notifications No. 88 (F. No. 55/114/61-IT) dated 5th December, 1962, No. 6 (F. No. 55/159/62-IT) dated the 5th February, 1963 and No. 59 (F. No. 55/1/62-IT) dated 4th September, 1963, the Central Board of Direct Taxes appoints the officers specified in the 3rd, 4th, 5th and 6th columns of the Schedule below, to perform all the functions of an Income-tax Officer, Inspecting Assistant Commissioner of Income-tax, Appellate Assistant Commissioner of Income-tax and the Commissioner of Income-tax respectively in respect of the persons specified in the corresponding entry in the 2nd column thereof:

Provided that nothing herein contained shall apply to cases or classes of cases assigned to Commissioners of Income-tax (without reference to area) in pursuance of directions issued under sub-section (1) of section 121 of the said Act.

SCHEDULE

1	2	3	4	5	6
1	Employees of the Burmah Oil Co. (Pipe Lines) Ltd. stationed anywhere in India.	Income-tax Officer, B-Ward, District, III-A, Calcutta.	Inspecting Assistant Commissioner of Income-tax, R-XIV, Calcutta.	Appellate Assistant Commissioner of Income-tax, D-Range, Calcutta.	Commissioner of Income-tax West Bengal-I, Calcutta.
2	Employees under the audit control of the Director of Audit and Accounts, Posts and Telegraphs, Madras.	4th Income-tax Officer, Salaries Circle, Madras.	Inspecting Assistant Commissioner of Income-tax who has been appointed to perform the function of an Inspecting Assistant Commissioner in the area where the Income-tax Officer, referred to in column 3 has jurisdiction.	Appellate Assistant Commissioner of Income-tax who has been invested with powers to hear appeals against the decision of the Income-tax Officer referred to in Column 3.	Commissioner of Income-tax, Madras.
3(a)	(A) All companies within the meaning of sub-section (17) of Section 2 of the Income-tax Act, 1961 within the area covered by the City of Calcutta and the Civil Districts of Howrah and 24-Parganas. (i) manufacturing or dealing in Jute or Jute goods or carrying on business as Jute Brokers or Commission Agents in Jute or	Income-tax Officer, Companies District-I, Calcutta.	Inspecting Assistant Commissioner of Income-tax who has been appointed to perform the function of an Inspecting Assistant Commissioner of Income-tax in respect of Companies District-I, Calcutta.	Appellate Assistant Commissioner of Income-tax who has been invested with powers to hear appeals against the decisions of the Income-tax Officer referred to in Column 3.	Commissioner of Income-tax, West Bengal-I.

(ii) which are Engineering Companies or Companies owning Iron and Steel Foundaries or

(iii) manufacturing or dealing in machinery, machinery parts, automobiles and auto parts, electrical goods and appliances excluding those specifically assigned to any other Income-tax District/ Circle other than any Companies District in Calcutta.

(B) All Companies within the meaning of sub-section (17) of section 2 of the Income-tax Act, 1961 within the area covered by the present Income-tax District III-(1) Calcutta excluding

- (i) cases as mentioned in (A) above ;
- (ii) cases as assigned by this Notification to Companies District II, III, and IV;
- (iii) cases specifically assigned to any other Income-tax District/ Circle other than the Companies Districts in Calcutta.

(C) All persons who are Non-residents having no office in India and who are in receipt of income from or through or have business connection with any person whose case is assigned to Companies District-I, Calcutta.

3(b) (A) All Companies within the meaning of sub-section (17) of section 2 of the Income-tax Act 1961 within the area covered by the City of Calcutta, and the Civil Districts of Howrah and 24-Parganas

- (i) who are Manufacturers or Dealers in Tea or who carry on business as Tea Brokers and Commission Agents in Tea or

Income-tax Officer, Companies District-II, Calcutta.

Inspecting Assistant Commissioner of Income-tax who has been appointed to perform the function of an Inspecting Assistant Commissioner Income-tax in respect of Companies District II, Calcutta.

Appellate Assistant Commissioner of Income-tax who has been in-vested with powers to hear appeals against the decision of the Income-tax Officer referred to in Column 3.

Commissioner of Income-tax, West Bengal-II.

1	2	3	4	5	6
	<p>(ii) who operate Coal mines or deal in Coal or carry on mining operations or deal in minerals, or</p> <p>(iii) who are Manufacturers or dealers in paper, Card Board and allied products, excluding those specifically assigned to any other Income-tax District/ Circle other than any Companies District in Calcutta.</p>				
	<p>(B) All Companies within the meaning of sub-section (17) of section 2 of the Income-tax Act, 1961 within the area covered by the present Income-tax District V(1) Calcutta, excluding</p> <p>(i) cases as mentioned in item(A) above;</p> <p>(ii) cases as assigned by this notification to Companies Districts I, III & IV, Calcutta ;</p> <p>(iii) cases specifically assigned to any other Income-tax District/ Circle other than Companies Districts in Calcutta.</p>				
	<p>(C) All persons who are non-residents having no office in India and who are in receipt of income from or through or have business connection with any person whose case is assigned to Companies District II, Calcutta.</p>				
3(c)	<p>(A) All Companies within the meaning of sub-section (17) of Section 2 of the Income-tax Act, 1961 within the area covered by the City of Calcutta and the Civil Districts of Howrah and 24-Parganas</p> <p>(i) carrying on business of Insurance or Barking or Shipping (inclusive of Tramp Shipping in Port of Calcutta), Docks, Ship repairers, Shippers and Charterers of Ships and Cargo boats,</p>	<p>Income-tax Officer, Companies District-III, Calcutta.</p>	<p>Inspecting Assistant Commissioner of Income-tax who has been appointed to perform the function of an Inspecting Assistant Commissioner of Income-tax in respect of Companies District—III, Calcutta.</p>	<p>Appellate Assistant Commissioner of Income-tax who has been invested with powers to hear appeals against the decisions of the Income-tax Officer referred to in Column 3.</p>	<p>Commissioner of Income-tax, West Bengal-I.</p>

- (ii) publishing or dealing in Newspapers, periodicals or magazines or owning printing press, or
- (iii) carrying on business as Caterers, Hoteliers or owning Restaurants, or
- (iv) manufacturing or dealing in Tobacco and Tobacco products or Rubber or Rubber products
excluding those specifically assigned to any other Income-tax District/ Circle other than Companies District in Calcutta.

(B) All Companies within the meaning of sub-section (17) of section 2 of the Income-tax Act, 1961, within the area covered by the present Income-tax District I(1), I(2), II(1), II(2), III(2), Calcutta excluding

- (i) cases mentioned in (A) above
- (ii) cases as assigned by this Notification to Companies District I, II and IV, Calcutta
- (iii) cases specifically assigned to any other Income-tax District/ Circle other than Companies Districts in Calcutta.

(C) All persons who are non-residents having no office in India and who are in receipt of Income from or through or have business connection with any person whose case is assigned to Companies District III, Calcutta.

3(d) (A) All Companies within the meaning of sub-section (17) of Section 2 of the Income-tax Act, 1961 within the area covered by the City of Calcutta and the Civil Districts of Howrah and 24 Parganas

- (i) manufacturing or dealing in Cotton, Cotton Textiles, Silk or Art fabrics, or

Income-tax Officer, Companies District-IV, Calcutta

Inspecting Assistant Commissioner of Income-tax who has been appointed to perform the function of an Inspecting Assistant Commissioner of Income-tax in respect of Companies District-IV, Calcutta.

Appellate Assistant Commissioner of Income-tax who has been invested with powers to hear appeals against the decision of the Income-tax Officer referred to in Column 3.

Commissioner of Income-tax, West Bengal-III.

1	2	3	4	5	6
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- (ii) manufacturing or dealing in Sugar,
or
- (iii) manufacturing or dealing in Chemicals, Pharmaceuticals or allied products, or
- (iv) carrying on business as Contractors

excluding those specifically assigned to any other Income-tax District/Circle other than any Companies District in Calcutta.

(B) All Companies within the meaning of sub-section (17) of section 2 of the Income-tax Act 1961 within the area covered by the present Income-tax Districts IV(1), IV(2), IV(3), VI, VII Calcutta and Howrah and 24-Parganas excluding

- (i) cases mentioned in item (A) above,
- (ii) cases as assigned by this Notification to Companies Districts I, II and III, Calcutta,
- (iii) cases specifically assigned to any other Income-tax District/Circle other than Companies Districts in Calcutta.

(C) All persons who are non-residents having no office in India and who are in receipt of Income from or through or have business connection with any person whose case is assigned to Companies District IV, Calcutta.

Provided that nothing contained in this Notification shall apply to the following orders assigning jurisdiction over cases mentioned therein to the Income-tax Officer 'E' Ward, Companies District III, Calcutta:—

1. Central Board of Revenue's Order F. No. 55/20/63-IT dated 18-1-1963.
2. Commissioner of Income-tax, West Bengal's Order No. 2P/40/61-62 dated 3-1-1963.

3. Commissioner of Income-tax, West Bengal's Order No. 2P/40/61-62 dated 3-1-1963.
4. Commissioner of Income-tax, West Bengal's Order No. 2P/40/61-62 dated 3-1-1963.
5. Commissioner of Income-tax, West Bengal's Order No. 2P/40/61-62 dated 3-1-1963.
6. Commissioner of Income-tax, West Bengal's Order No. 2P/6/61-62(ii) dated 11-9-1961.

1	2	3	4	5	6
4	All employees of the North East Frontier Railway who are under the audit control of Financial Adviser and Chief Accounts Officer, Kurseong	Income-tax Officer, B-Ward, Darjeeling	Inspecting Assistant Commissioner of Income-tax Range IV, Calcutta.	Appellate Assistant Commissioner of Income-tax, L-Range, Calcutta.	Commissioner of Income-tax, West Bengal-I, Calcutta.

No. 1 (F. No. 55/233/63-IT.)

New Delhi, the 19th May 1964

S.O. 1801.—In exercise of the powers conferred by section 126 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following additions to the Schedule annexed to its Notification No. 1 (F. No. 55/233/63-IT), dated 18th May, 1964:—

After Serial No. 4 in the said Schedule, the following items shall be added:

1	2	3	4	5	6
5	Government servants under the audit control of the Accountant General, Bihar, no portion of whose income is derived from exercise of a profession, but excluding the employees of the Hospital for Mental Diseases, Indian Mental Hospital and Indian Lac Cess Committee, Ranchi.	Income-tax Officer, Salary Circle, Patna.	Inspecting Assistant Commissioner of Income-tax, Northern Range, Patna.	Appellate Assistant Commissioner of Income-tax, in their respective ranges.	Commissioner of Income-tax, Bihar and Orissa.
6	Persons paid from the Defence Services Estimates who are in the payment of the Controller of Defence Accounts, Patna.	Do.	Do.	Do.	Do.
7	Employees of the Tin Plate Company of India, Limited, Golmuri (near Jamshedpur) excluding persons, any part of whose income is derived from the exercise of a profession.	Income-tax Officer, Salary Circle, Jamshedpur.	Inspecting Assistant Commissioner of Income-tax, Southern Range, Ranchi.	Appellate Assistant Commissioner of Income-tax in their respective ranges.	Commissioner of Income-tax, Bihar and Orissa.
8	Employees of the Tata Iron and Steel Company at Jamshedpur excluding persons, any part of whose income is derived from the exercise of a profession.	Do.	Do.	o.	Do.
9	Employees of the North East Frontier Railway under the audit of the Financial Adviser and Chief Accounts Officer, Pandu whose annual salary during the previous year exceeded the maximum amount not chargeable to income-tax under the law for the time being in force or being less than that amount has for some reason been subjected to deduction of tax at source.	Income-tax Officer, B-Ward, Gauhati.	Inspecting Assistant Commissioner, Shillong.	Appellate Assistant Commissioner, Gauhati.	Commissioner of Income-tax, Assam, Nagaland, Manipur and Tripura.

[No. 2(F. No. 55/16/64-IT).]

S.O. 1802.—The Central Board of Direct Taxes hereby deletes Serial Nos. 24, 61, 62, 63 and 68 and the entries thereagainst from the Schedule to its notification S.R.O. 1214 (No. 44 Income-tax) dated the 1st July 1952.

[No. 3(F. No. 55/16/64-IT).]

H. K. SONDHII, Under Secy.

MINISTRY OF PETROLEUM & CHEMICALS

New Delhi, the 18th May 1964.

S.O. 1803.—Whereas by a notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 3161 dated the 31st October, 1963 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), read with S. No. 306 dated 18th January, 1964 the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And, whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

SCHEDULE

State—Uttar Pradesh

District—Fatehpur

Tehsil—Fatehpur

Village	Survey No.	Extent
		B.B.B.
1. Haswa	1870	0 1 0
2. Biland Pur	252	0 15 0
3. Khambha Pur	214	0 5 0

[No. F. 31(50)/63-ONG-1.]

S.O. 1804.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 3434 dated the 2nd December 1963 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), read with S.O. No. 626 dated 13th February, 1964, the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

SCHEDULE

State—Uttar Pradesh.

Distt.—Fatehpur.

Tahsil.—Bindki.

Village	Survey No.	Extent	Village	Survey No.	Extent
		B.B.B.			B.B.B.
1. Chakki . . .	2833	0 9 0	5. Rampur . . .	258	0 11 18
	2907	0 12 0			
	2814	0 3 10	6. Mauhar . . .	3817	0 1 12
				4116/2	0 12 3
2. Māmtejpur . . .	477/3	1 13 16	7. Gudhrauli . . .	1512	0 13 15
	477/4	0 1 16	8. Aung . . .	117	1 1 18
3. Kanspur Guhali . . .	2294	0 3 1	9. Khādra . . .	81	0 5 17
4. Yadgar Pur . . .	225	0 9 0			

[No. 31(50)/63-ONG-2.]

S.O. 1805.—Whereas by a notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 3288 dated the 12th November 1963 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

SCHEDULE

State—Uttar Pradesh

Distt.—Allahabad.

Tahsil.—Karchhna

Village	Survey No.	Extent	Village	Survey No.	Extent
		B.B.B.			B.B.B.
1. Chaka . . .	12	0 9 15		321 M	0 0 5
	21/2 M	0 5 10		322 M	0 6 0
	24	0 7 10		342 M	0 9 10
	25/1	0 7 0		343	0 0 10
	29	0 3 15		344	0 6 5
	30	0 7 10		346 M	0 7 15
	31	0 3 15		347/1 M	0 7 6
	219/1	0 0 5		347/1 M	0 0 14
	275	0 11 0		349	0 1 10
	276/1	0 0 15		350	0 0 5
	277	0 4 10		351	0 15 0
	279	0 8 10		357	0 2 0
	280/2	0 1 15		358	0 11 0
	281 M	0 4 10		360	0 8 15
	282	0 2 10		367/1	0 1 0
	318	0 9 0		367/2	0 1 5
	319	0 7 15		368	0 0 10

Village	Survey No.	Extent	Village	Survey No.	Extent in acre
		B. B. B.			B. B. B.
1. Chaka—contd.	371	0 3 0		723/2	0 2 0
	373/1	0 2 0		723/3	0 6 10
	516	0 0 5		724	0 1 15
	517	0 0 10		728	0 3 0
	519	0 6 15		730	0 3 15
	520	0 4 10		731	0 3 10
	522	0 2 0	2. Maheva Patti Purva	90/1	0 13 10
	523/1	0 2 10		90/2	0 8 0
	545	0 8 0		91	0 5 0
	546/1	0 2 15		92	0 18 0
	693	0 1 8		93	0 8 0
	694	0 2 5		94	1 4 0
	695	0 0 5		358	0 11 0
	696	0 2 0		359	0 5 15
	697	0 0 5		360	0 8 10
	702	0 1 2		361	0 4 10
	703/14	0 13 5		363	0 6 0
	704	0 0 5	3. Abhaya Chand Pur	1/1	0 14 5
	720	0 3 0			

[No. 31(50)/63-ONG-3.]

S.O. 1806.—Whereas by a Notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 355 dated the 17th January 1964 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that Notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this Notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this Notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Ltd., free from all encumbrances.

SCHEDULE

State : Uttar Pradesh.

Distt. Kanpur

Tahsil :

Kanpur

Village	Survey No.	Extent	Village	Survey No.	Extent
		B. B. B.			B. B. B.
1. Naogavan .	1244	0 4 0		1277	0 1 0
	1245	0 9 0		1280	0 14 0
	1246	0 1 10		1281	0 2 0
	1258	0 1 0		1282	0 3 0
	1259	0 9 0		1287	0 4 0
	1262	0 2 0		1288	0 1 0
	1263	0 3 10		1289	0 2 0
	1264	0 9 0		1290	0 8 0
	1265	0 5 0		1291	0 6 0
	1266	0 0 10		1293	0 0 10
	1271	0 0 0		1294	0 5 10

Village	Survey No.	Extent	Village	Survey No.	Extent
		B. B. B.			B. B. B.
Naogavan— <i>contd.</i>	1295	0 4 0	3. Karbigwan .	97	0 0 10
	1308/1	0 8 0		98	0 1 0
	1308/3	0 16 0		99/1	0 4 0
	1318	0 2 0		99/2	0 3 0
	1319	0 7 0		100	0 11 0
	1320	0 8 0		101	0 6 0
	1360	0 8 0		102/1	0 2 10
	1361	0 6 0		105/1	0 4 0
	1362/3	0 2 0		106/2	0 12 10
	1363	0 1 10		349/1	0 9 0
	1364	0 14 0		359/2	0 5 0
	1372	0 2 0		359/3	0 5 0
	1377/2	0 3 0		360/1	0 8 10
	1378	0 8 0		360/2	0 8 0
	1434/1	0 8 0		371/2	0 9 10
	1435	0 5 0		371/3	0 7 0
	1442/2	0 3 0		372/1	1 0 0
	1444	0 8 0		372/3	0 9 0
	1445	0 3 0		373/3	0 8 0
	1446	0 2 0		602	0 3 0
	1447	0 3 0		603	0 9 0
	1448/2	0 3 0		613	0 10 0
	1452	0 1 0		614	0 7 15
	1453	0 8 0		615	0 5 0
	1455	0 3 0		616	0 1 10
	1456/1	0 11 0		617/2	0 1 0
	1535/1	0 7 0		617/1	0 5 0
	1535/2	0 3 10		617/3	0 10 0
	1538/2	0 16 0		620/2	0 1 10
	1541	0 8 0		621/1	0 5 0
	1542	0 1 0		621/2	0 2 0
	1543	0 4 0		622	0 4 0
	1549/1	0 2 0		623	0 1 0
	1549/2	0 1 10		706	0 5 0
	1550	0 1 0		709	0 1 10
	1551	0 7 0		710	0 4 0
	1552	0 2 0		711	0 4 0
	1553	0 1 0		712	0 3 0
	1569/2	0 8 0		713	0 6 0
	1669/7	0 3 0		714	0 0 5
	1669/3	0 11 0		715	0 4 0
	1669/9	0 9 0		716	0 1 10
	1671	0 4 0		718	0 10 0
	1672	0 5 0		719	0 6 10
	1702	0 10 0		722	0 1 10
	1703	0 6 0		1964	0 3 10
	1704	0 12 0		1965/1	0 1 10
	1722	0 11 0		1965/2	0 1 10
	1725	0 7 0		1966	0 2 10
	1726	0 3 0		1967	0 8 0
	1727	0 3 0		2192	0 2 10
	1729	0 5 0		2194	0 2 10
	1730	0 3 10		2196	0 6 0
	1731	0 15 0		2221	0 1 0
	1732	0 6 0		2222	0 5 10
	1757	0 8 0		2223	0 11 0
	1758	0 8 0		2224	0 6 0
	1759	0 3 0		2225	0 8 0
	1761	0 11 0		2226	0 8 0
	1762	0 11 0		2228	0 1 10
	1764	0 1 10		2237	0 7 0
	1765	0 0 10		2239	0 0 5
				2240	0 4 0
				2241	0 6 0
2. Sikathia Purwa	1865	0 4 4			

Village	Survey No.	Extent	Village	Survey No.	Extent
		B.B.B.			B. B. B.
3. Karbigwan— <i>contd.</i>	2261	0 6 0		946	0 6 0
	2262	0 6 0		950	0 10 0
	2263	0 3 0		952	0 7 10
	2264	0 4 0		953	0 11 0
	2341	0 1 10		958	0 18 0
	2342	0 3 0		962	0 3 0
	2343	0 4 0		963	0 5 0
	2344	0 3 0		968	0 1 0
	2345	0 2 10		969	0 4 0
	2359	0 0 10		970	0 1 10
	2360	0 1 0		971	0 3 0
	2361	0 2 0		975/2	0 7 0
	2362	0 2 10		980	0 2 0
	2363	0 6 0		982	0 1 0
	2364	0 0 10		983	0 5 0
	2368	0 1 0		984	0 0 10
	2496	0 10 0		985/1	0 9 0
	2497	0 10 10			
	2531	0 11 0	5. Thareyph	1	0 3 10
	2533	0 15 0		5	0 1 0
	2534	0 0 10		13	0 3 0
	2537	0 5 10		15	0 5 10
	2541	0 4 5		16	0 7 10
	2542	0 5 0		17	0 10 10
	2543	0 11 0		18	0 5 0
4. Pooran Pur	194	0 8 0		114	0 0 5
	196	0 11 0		117/1	0 4 0
	197	0 9 0		118/1	0 3 10
	200	0 0 5		119	0 10 0
	315	0 5 0		120/2	0 13 0
	316/1	0 16 10		121	0 8 0
	329	0 6 10		125	0 3 0
	330	0 7 0		126	0 10 0
	331	0 1 10		127	0 8 10
	332	0 6 0		128/1	0 3 0
	333	0 5 10		128/2	0 3 0
	368	0 10 10		129	0 7 0
	369	0 15 5		132	0 8 0
	371	0 0 5		137	0 0 15
	380	0 3 0		138	0 13 0
	381	0 1 10		139	0 6 0
	383	0 1 10		140	0 2 0
	384/1	0 4 10		141	0 11 10
	384/2	0 4 0		173	0 3 0
	387	0 14 0		179	0 4 10
	392	0 1 10		196/1	0 3 0
	590	0 6 10		197	0 4 0
	591	0 7 0		198	0 7 10
	592	0 1 10		203/1	0 2 10
	594	0 2 0		203/3	1 5 0
	690	0 2 10		265	0 5 0
	699	0 4 0		266	0 3 0
	700	0 6 0		267	0 3 0
	729	0 9 10		268	0 2 10
	730	0 0 5		269	0 16 10
	733	0 10 10		284	0 7 10
	734	0 9 0		286	0 1 10
	754	0 10 0		288	0 13 10
	769	0 14 10		289	0 9 10
	794	0 5 0	6. Nawada Bausar	12	0 12 4
	795	0 4 0		14	0 5 4
	796	0 4 10		16	0 0 5
	797	0 0 10		30	0 8 16
	798	0 4 10			

Village	Survey No.	Extent	Village	Survey No.	Extent
		B.B.B.			B. B. B.
6. Nawada Bausar—contd.	31	0 5 8	8. Tikara Chauhan	993	0 11 4
	32	0 5 8		994	0 10 0
	33	0 12 0		36	0 0 12
	34	0 0 10		37	0 12 0
	35	0 5 12		42	0 7 4
	37	0 4 8		43	0 4 10
	140	0 3 4		44	1 0 0
	141	0 13 4		45	0 0 10
	142	0 5 4		49	0 0 16
	143	0 0 10		69	0 1 12
	144	0 11 16		70	0 1 0
	147	0 6 16		74	0 0 12
	148	0 10 0		107	0 0 5
	149	0 4 0		108	0 10 16
	150	0 0 5		109	0 0 5
	161	0 5 12		110	0 9 4
	174	0 0 15		111	0 11 4
	175	0 9 0		112	0 12 16
	176	0 0 16		116	0 4 8
	296	0 10 8		119	0 14 0
	297	0 0 5		120	0 0 15
	316	0 4 2		121	0 2 8
	317	0 3 10		123	0 1 8
	326	0 2 16	9. Tons	399	0 11 5
	327	0 6 16		400	0 15 12
	329/1	0 0 12		401	0 3 4
	334	0 6 0		402	0 0 16
	335	0 9 4		476	0 0 8
	336	0 6 0		477	0 12 0
	343	0 0 18		478	0 8 18
	353	0 8 0		479	0 6 16
	354	0 11 4		480	0 4 8
	355	0 0 10		486	0 0 5
	356	0 4 0		487	0 15 4
	357	0 6 0		788	0 0 16
	358	0 2 2		489	0 11 4
	359	0 6 0		491	0 10 0
	360	0 0 5		492	0 1 4
	367	0 10 16		500	0 2 10
	368	0 14 0		537	0 3 12
	370	0 0 10		544	0 8 16
	405	0 0 10		545	0 6 2
	407	0 0 12		546	0 15 12
7. Dipa Pur	874	0 1 10		548	0 8 4
	875	0 1 19	10. Bausar	826	0 7 13
	879	0 3 0		827	0 8 8
	880	0 10 8		833	0 6 8
	885	0 2 16		834	0 7 12
	888	0 0 10		840	0 6 8
	889	0 8 16		841	0 12 12
	890	0 6 15		842	0 14 12
	891	0 14 16		852	0 3 12
	978	0 1 0		853	0 6 0
	979	0 8 16		866	0 1 7
	980	0 7 0		872	0 9 12
	984	0 0 17		873	0 1 12
	985	0 10 0		874	1 3 0
	986	0 8 16		875	1 6 2
	987	0 0 15		878	0 0 5
	989	0 0 12		881/2	0 15 12
	990	0 1 4		887	0 2 0
	991	0 10 0		888/2	0 6 0
	992	0 10 0			

Village	Survey No.	Extent	Village	Survey No.	Extent
		B.B.B.			B.B.B.
10. Bansar—contd.	889	0 5 12		630/1	0 14 16
	890	0 8 8		631/2	0 8 8
	897	0 2 0		632	0 11 4
	898	0 6 8		633	0 7 12
	900	0 5 4		636	0 12 0
	901	0 4 0			
	971	0 6 16	12. Fufuhar Thok.	526	0 3 16
	972	0 2 8		527	0 9 4
	974	0 6 16		528	0 0 10
	975	0 4 12		532	0 3 0
	979	0 9 4		533	0 1 7
	988	0 11 4		534	0 10 0
	989	0 2 8		539	0 3 4
	1003	0 0 6		540	0 3 5
	1004	0 0 12		550	0 15 0
	1005	0 1 0		574	0 0 5
	1006	0 6 0		576	0 2 0
	1007	0 12 0		581	0 1 5
	1008	0 2 2			
	1009/2	0 0 5	13. Tilsahri Khurd	15	0 12 0
	1146	0 0 5		16	0 18 8
	1147	0 8 12		46	0 2 16
	1148	0 4 0		45	0 3 4
	1151/2	0 3 4		48/1	0 2 14
	1152	0 6 16		49	0 3 4
	1153	0 0 5		50	1 0 11
	1189/2	0 6 0		51	0 0 2
	1190/1	1 13 8		80M	0 1 0
	1220	0 1 8		333	0 9 12
	1227	0 6 16		334	0 1 7
	1228	0 10 16		337	0 12 16
	1230/1	0 10 0		338	0 8 0
	1231	0 2 2		340	0 1 4
	1232	0 3 12		341	0 1 4
	1238	0 0 12		342	0 14 16
	1241/2	0 16 0		344	0 8 0
	1243	0 13 8		386	0 8 8
	1244/1	0 0 8		387	0 0 12
	1250	0 8 0		452	0 3 16
11. Baradhri	31	0 14 0		476	0 1 15
	32	0 16 0		480	0 3 17
	43	0 6 0		481	0 0 10
	66	1 1 4		482	0 5 12
	67	0 16 0		489	0 4 8
	68	0 3 3		490	0 7 12
	69	0 4 0		491	0 0 6
	86	0 11 12		492	0 6 8
	87	0 11 10		493	0 4 16
	88	0 8 15		495	0 2 8
	89/1	0 1 0		503	0 1 7
	115	0 2 2		536	0 2 9
	116	0 1 0		538	0 8 8
	117	0 6 0		539	0 12 0
	118	0 0 12		540	0 0 14
	122	0 3 4		542	0 0 12
	123	0 1 15		543	0 2 16
	127	0 8 8		552	0 12 0
	128	0 9 4		555	0 1 16
	613/2	0 6 0		556	0 6 0
	618	0 16 16		557	0 8 16
	619/1	0 2 8		558	0 0 2
	627	0 0 10		561	0 3 0
	628	0 9 12		568	0 6 0
	629/2	0 16 16		570	0 8 16
				571	0 10 16

Village	Survey No.	Extent	Village	Survey No.	Extent
		B.B.B.			B.B.B.
13. Tilsahri Khurd. — <i>contd.</i>	716	0 0 16		60	0 2 0
	717	0 10 0		61	0 4 16
	718	0 2 0		62	0 3 18
	719	0 5 4		66	0 1 0
	748	0 3 8		67	0 0 12
	749	0 8 8		68	0 10 0
	756	0 10 16		69	0 13 12
	757	0 1 4		132	0 0 10
	760	0 0 2		133	0 1 5
	762	0 11 12		134	0 3 4
	763	0 0 6		135	0 1 0
	766	0 10 8		136	0 7 4
	767	0 4 0		138	0 4 16
	768	0 2 12		141	0 12 0
	769	0 5 4		142	0 3 10
	777	0 0 14		143	0 14 8
	781	0 4 4		144	0 12 0
	782	0 10 8		154	0 16 8
	783	0 0 2		155	0 3 4
	784	0 0 9		156	0 0 16
	951	0 2 8		160	0 0 8
	958	0 10 8		163	0 2 2
	959	0 8 16		164	0 10 0
	1021/1	0 8 16		165	0 0 5
	1022	0 4			
	1024	0 0 14	17. Uchti	74	0 3 0
	1025	0 8 10		75	0 1 0
	1026	9 4 8		117	0 3 0
	1027/1	0 8 16		152	0 8 10
	1031	0 1 0		153	0 5 0
	1042	0 6 0		157	0 8 5
	1052	0 1 7		161	0 9 0
	1053	0 0 2		166	0 9 10
	1054	0 1 8		167	0 8 0
	1055/1	1 18 9		170	0 8 0
	1066	0 5 2		171	0 0 10
	1067	0 3 16		179	0 0 5
	1068	0 0 3		180	0 3 0
	1069	0 4 4		181	0 6 10
	1070	1 6 0		182	0 0 5
	1083	0 12 8		189	0 9 10
	1084	0 11 12		190	0 12 0
	1085	0 3 12		191	0 8 0
	1087	0 0 4		193	0 2 0
	1090	0 8 16		194	0 17 10
14. Tilshari Bujurg.	18/1753	0 2 10		213	0 6 5
	19/1754	0 13 10		214	0 6 10
	20/1755	0 4 10		224	0 5 0
	37/1772	0 10 6		225	0 13 0
15. Kudwa	909	0 8 8		239	0 11 10
				249	0 8 0
16. Goriya	1	0 1 12		641	0 13 0
	2	0 4 16		642	0 2 10
	6	0 2 16		644	0 8 0
	7	0 14 16		645	0 2 0
	15	0 1 12		646	0 2 0
	16	0 1 0		654	0 5 0
	41	0 7 12		655	0 8 0
	42	0 12 8		656	0 1 0
	44	0 2 8		666	0 10 10
	51	0 2 8		667	0 8 0
	52	0 1 4		668	0 3 5
	59	0 4 10		679	0 0 15
				680	0 1 15
				945/239	0 10 0

Village with thana	Survey No.	Extent in acre	Village with Thana	Survey No.	Extent in acre
		B. B. B.			B. B. B.
18. Jar Kalan . . .	174	0 13 0	20. Sun Gawn— <i>oddtd.</i>	804	0 0 10
	175	1 2 0		805	0 7 0
	176	0 2 0		806	0 6 10
	177	0 12 0		818	0 1 0
	178	0 11 5		819	0 2 10
	179	1 3 0		820	0 6 10
	180	0 16 0		825	0 9 10
	181	0 1 5		827	0 2 0
	182	0 13 0		828	0 6 0
	183	0 9 5		830	0 0 5
	184	0 3 5		831	0 16 0
	186	0 11 0		832	0 9 0
	187	0 1 0		875M	1 10 10
	190	0 8 0		916	0 1 10
	191	0 5 5		917	0 6 0
	196	0 10 10		923	0 4 10
	197	0 6 0		924	0 10 10
	209	0 11 5		926M	0 8 10
	212	0 8 5		927	0 13 0
	218	0 12 0		931	0 0 5
	219	0 1 0		983	0 0 5
19. Sajri . . .	938	0 7 15		985	0 3 0
	939	0 11 10		986	0 3 0
20. Sun Gawn. . .	399/1	1 3 0		987	0 3 0
	402	2 14 0		992	0 16 10
	419	0 3 0		993	0 6 0
	421	0 7 0		998	0 2 10
	422	0 4 10		999	0 2 0
	428M	1 18 0		1000	0 1 10
	429	0 11 5		1001	0 1 10
	581	0 0 5		1002	0 0 5
	586	0 3 0		1003	0 0 5
	587	0 6 0		1004	0 10 10
	588	0 3 0		1010	0 17 0
	589	0 3 0		1011	0 9 0
	590	0 6 0		1012	0 12 0
	595	0 14 0		1013M	0 7 0
	597	0 9 0		1014	0 8 0
	598	0 5 0		1015	0 1 10
	606	0 3 0		1074	0 7 0
	607	0 7 0		1075	0 7 0
	612	0 8 0		1076	0 3 10
	613	0 13 0		1077	0 6 0
	621	0 8 0		1078	0 5 10
	622	0 7 0		1079	0 7 0
	623	0 13 0		1080	0 3 10
	632	0 12 0		1081	0 7 10
	637	0 8 0	21. Nagwan	50 M	0 19 10
	638	0 7 0	22. Satwari. . .	87	0 7 0
	645	0 6 0		91	0 9 10
	646	0 4 0		95	0 6 5
	647	0 4 0		96	0 6 10
	652	0 1 0		97	0 3 0
	653/1	0 3 10		98M	0 9 10
	655/2	0 4 0		99	0 4 0
	657	0 13 0		100	0 6 10
	662	0 1 10		135	0 1 0
	785	0 3 0		137	0 9 10
	788	0 9 10		138	0 4 0
	789	0 6 0		139	0 1 0
	801	0 4 0		141	0 7 10
	802	0 2 0		248	0 3 5
	803	0 4 0		249	0 6 10

Village with thana	Survey No.	Extent in acre	Village with thana	Survey	Extent in acre
		B. B. B.			B. B. B.
22. Satwari— <i>contd.</i>	252	0 5 10		263	0 8 10
	253	0 8 0		292	0 2 10
	278	0 7 0		293	0 4 15
	282	0 8 10		294	0 7 10
	283	0 8 10		295	0 8 10
	300/2	0 0 10		296	0 4 5
	301	1 3 0		297	0 0 15
	302/2	1 4 0		368	0 9 10
	302/3	0 10 0		369	0 8 0
	396	1 13 0		370	0 6 10
	397	1 6 0		371	0 5 15
	414	0 1 10		373	0 7 0
	415	0 8 0		374M	0 1 0
	416/1	0 11 5		383	0 17 15
	416/2	0 9 10		385	0 1 5
	417	0 3 10		406	0 4 15
	418	0 6 0		407	0 0 5
	419	0 2 10		413M	0 0 15
	460/1	0 8 0		432	0 8 0
	460/2	0 14 10		433	0 0 5
	462	0 4 10		434	0 0 10
	463	0 14 5		435	0 6 5
	478	0 4 15		436	0 0 10
23. Ganga Pur	262	0 1 10		437..	0 1 0

[No. 31(50)/63-ONG.-4.]

S.O. 1807.—Whereas by a notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 2386 dated the 9th Aug., 1963 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Ltd., free from all encumbrances.

SCHEDULE

State :—Uttar Pradesh

Tahsil :—Zamania

District :—Ghazipur.

Village	Survey No.	Extent
		B.B.B.
1. Patkholia	2436	0 2 10
	2437	0 7 10
	2438	0 1 10

[No. 31(50)/63-ONG.-5.]

S.O. 1808.—Whereas by a notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 3292, dated the 20th November, 1963 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) read with S.O. No. 691, dated 18th February, 1964, the Central Government declared its intention to acquire the right of user

in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

SCHEDULE

State—Uttar Pradesh. Distt.—Allahabad

Tehsil :—Meja

Village	Survey No.	Extent	Village	Survey	Extent
		B. B. B.			B.B.B.
1. Urwa	46/1	0 3 5	2. Emaleya Kalan	1134/3	0 13 4
	482	0 4 0			

[No. 31/50/63-ONG-6.]

S.O. 1809.—Whereas by a notification of the Government of India in the Ministry of Mines and Fuel S.O. No. 2385 dated the 9th August, 1963 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) read with S.O. No. 3436 dated 5th December, 1963 and S.O. No. 299 dated 17th January, 1964, the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipe-lines:

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Ltd. free from all encumbrances.

SCHEDULE

State:—Uttar Pradesh.

Distt.—Varanasi.

Tehsil—Chandauli.

Village	Survey No.	Extent Acre Decimal	Village	Survey No.	Extent acre Decimal
1. Kusaha	585	0 02	7. Kesho Pur	117/1	0 02
2. Pipardaha	59/1	0 32	8. Mugal Chak	5	0 15
3. Bhainsaurmai Mulka Purva	38	0 16	9. Dedhgawan	60/2	0 06
	39 2	0 19	10. Sheokhar Khurd	23	0 07
4. Baharwani	454/1	0 26	*11. Matkutta	93/5	0 12
5. Batthi	503/1	0 19		96	0 16
6. Saraidharchit	733	0 10	12. Amogh Pur	60/3	0 05
	739	0 31			

[No. 31/50/63-ONG-7.]

S.O. 1810.—Whereas by a notification of the Government of India in the Ministry of Petroleum & Chemicals S.O. No. 1087 dated the 19th March 1964 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

SCHEDULE

State:—Bihar

Dist.:—Monghyr

Thanna:—Lakhisara

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with tahana No.	Survey No. (Plot No.)	Extent in acre
Kuil No. 122	3239	0·105	Jainagar No. 124—	278	0·085
	266	0·05	contd.	553	0·04
	347	0·01		1485	0·02
	346	0·075		1510	0·04
	1605	0·015		1513	0·055
	340	0·005		1517	0·03
	343	0·005		199	0·02
	233	0·005		1530	0·02
	350	0·010		221	0·25
Makuna No. 123	55	0·015		211	0·19
	54	0·01		86	0·015
	30	0·005		114	0·04
Jainagar No. 124	104	0·025		106	0·025
	110	0·03			
	277	0·085	Silhat No. 86	25	0·005

[No. 31(47)/63-ONG-1.]

S.O. 1811.—Whereas by a notification of the Government of India in the Ministry of Petroleum & Chemicals S.O. No. 1200 dated the 21st March, 1964 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

SCHEDULE

State—Bihar.

District—Monghyr.

Thana—Lakhisarai.

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Kharkuan No. 60	5 54 76	0.25 0.005 0.09	Bashuachak No. 50— contd	398 251 407	0.03 0.02 0.02
Itaun No. 57	1222 1125 1091	0.035 0.01 0.16	Churamanbigha No. 46	335 233 301 651 318	0.03 0.03 0.02 0.01 0.04
Sangrampur No. 43	2706	0.04		346 304 349 348	0.015 0.08 0.015 0.02
Ramalbigha No. 51	616 1355 627 1354	0.33 0.05 0.05	Manpur No. 58	581 681 551 548	0.01 0.02 0.02 0.01
Bashuachak No. 50	226 383 244	0.02 0.03 0.05	Mananpur No. 96	593	0.01 0.01 1.52

[No. 31(47)/63-ONG-ii.]

S.O. 1812.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 988 dated the 10th March, 1964 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

SCHEDULE

State—Bihar.

District—Monghyr.

Thana—Lakhisarai.

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Ghosikundi No. 84	295 250	0.01 0.16	Khutupar No. 78	720	0.01
Mohankundi No. 81	844 683	0.02 0.02	Gohri No. 65	51 50	0.01 0.035
Raikundi No. 82	51 123 45	0.02 0.035 0.045	Balahpur No. 62	539 551 548 146	0.04 0.16 0.10 0.015

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Gopalpur No. 47	52	0.10	Gopalpur No. 47 —Contd.	1445	0.06
	87	0.005		1493	0.10
	86	0.04		1553	0.03
	104	0.015	Kumdar No. 48	210	0.02
	100	0.08		205	0.14
	160	0.02			
	183	0.075			
	921	0.005			
	1429	0.05		TOTAL	0.74

[No. 31(47)/63-ONG-III.]

S.O. 1813.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 855 dated the 2nd March, 1964 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

SCHEDULE

State—Bihar.

District—Monghyr.

Village with thana No	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Sewa No. 136	70	0.03	Gangra No. 123	37	0.02
Thana-Jamui	710	0.035	Thana-Jamui	44	0.12
	1341	0.06	Ketrinawada No. 125	14	0.03
	1557	0.005	Thana-Jamui	20	0.025
	1542	0.005		53	0.11
	1546	0.01		92	0.02
	3222	0.045		96	0.025
	3269	0.005		173	0.045
	3249	0.02		172	0.025
	3258	0.025		164	0.02
	3330	0.06		127	0.06
	3231	0.045	Sansarpur No 124	264	0.005
	3232	0.03			
	3322	0.035			
	727	0.015			

Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Thana-Jamui	270	0.005	Dadpur No. 6 Thana-Chakai	410	0.03
Dhamna No. 2	212	0.04		378	0.03
Thana-Chakai	164	0.005		380	0.03
	166	0.025		468	0.17
	177	0.005		483	0.045
				431	0.01
			Sultanpur No. 5 Thana-Chakai	433	0.01
				22	0.05

[No. 31(47)/63-ONG-iv.]

S.O. 1814.—Whereas by a notification of the Government of India in the Ministry of Petroleum & Chemicals S.O. No. 856, dated the 2nd March, 1964 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for purpose of laying pipelines;

And whereas the competent has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

SCHEDULE

State—Bihar			District—Monghyr			Thana—Jamui		
Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Bariarpur No. 14	38	0.08	Malepur No. 12—contd.	1522	0.04			
	51	0.035		1523	0.27			
	50	0.02	Kolhua No. 11	1729	0.005			
	400	0.125		1728	0.01			
	184	0.02		1735	0.03			
Malepur No. 12	1339	0.03		1739	0.015			
	1327	0.025		1685	0.005			
	1338	0.025						
	1264	0.03	Achhra No. 19	229	0.06			
	1265	0.025	Katauna No. 22	3197	0.16			
	1469	0.03		3148	0.01			
	1498	0.015		3734	0.04			
	1499	0.025		3764	0.02			
	1111	0.005		3744	0.03			
	1506	0.03						

[No. 31(47)/63-ONG-v.]

S.O. 1815.—Whereas by notification of the Government of India in the Ministry of Petroleum & Chemicals S.O. No. 1086 dated the 19th March, 1964 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the rights of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipelines;

And whereas the competent authority has, under sub-section (i) of section 6 of the said Act, submitted report to the Government;

And whereas the Central Government has, after considering the said report, decide to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (i) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration in the Indian Refineries Limited free from all encumbrances.

SCHEDULE

State—Bihar			District—Monghyr		Thana—Jamui
Village with thana No.	Survey No. (Plot No.)	Extent in acre	Village with thana No.	Survey No. (Plot No.)	Extent in acre
Narainpur No. 142	84	0.02	Ratanpur No. 137— <i>contd.</i>	258	0.01
	68	0.04		264	0.03
	86	0.03		288	0.01
	88	0.075		291	0.16
	64	0.02		296	0.00
	104	0.04		317	0.04
				319	0.06
Kundhur No. 144	595	0.06		431	0.04
	596	0.12		438	0.08
	677	0.10		486	0.02
	597	0.005		535	0.02
				4706	0.20
Ratanpur No. 137	188	0.02		3748	0.08
	243	0.01		287	0.015
	244	0.005	Genadih No. 147	529	0.02
	230	0.03		652	0.06
	231	0.01			

[No. 31(47)/63-ONG-vi.]

CORRIGENDA

New Delhi, the 18th May 1964

S.O. 1816.—In the Schedule to the notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 1191 dated the 21st March, 1964, published in the Gazette of India Part II, Section 3, Sub-section (ii), dated the 4th April, 1964.

At page 1415 for "Survey No. 968 with extent $\frac{B-B-B}{0.7-18}$ of village Daryapur"
read "Survey No. 969 with extent $\frac{B-B-B}{0.7-18}$ of village Daryapur."

[No. 31(50)/63-ONG-8.]

S.O. 1817.—In the Schedule to the notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 1084, dated the 18th March, 1964, published in the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 28th March, 1964.

(1) At page 1308 for $\frac{\text{B-B-B}}{0-0-10}$ against Survey No. 2328/1 of village Sheorai
read $\frac{\text{B-B-B}}{0-0-14}$ against Survey No. 2328/1 of village Sheorai".

(2) At page 1310 for $\frac{\text{B-B-B}}{0-1-0}$ against Survey No. 1466 of village Mahmoodpur
read $\frac{\text{B-B-B}}{0-1-10}$ against Survey No. 1466 of village Mahmoodpur".

(3) At page 1311 for "Survey No. 166 of village Marautia Makrand" read "Survey No. 165 of village Marautia Makrand".

(4) At page 1312 for $\frac{\text{B-B-B}}{0-1-10}$ against Survey No. 274 of village Baruin" read $\frac{\text{B-B-B}}{0-1-0}$ against Survey No. 274 of village Baruin".

(5) At page 1313 (i) for $\frac{\text{B-B-B}}{0-8-1}$ against Survey No. 3712/1 of village Dildar-nagar read $\frac{\text{B-B-B}}{0-8-10}$ against Survey No. 3712/1 of village Dildarnagar.

(ii) for "Survey No. 2546 of village Dildarnagar" read "Survey No. 2540 of village Dildarnagar".

[No. 31/50/63-ONG-9.]

S.O. 1818.—In the Schedule to the Notification of the Government of India in the Ministry of Petroleum and Chemicals S. O. No. 1083, dated the 18th March, 1964, published in the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 28th March, 1964.

(1) At page 1301 for "Survey No. 3885" read "Survey No. 3886".

(2) At page 1302 for $\frac{\text{B-B-B}}{0-5-0}$ against Survey No. 3991" read $\frac{\text{B-B-B}}{0-0-5}$ against Survey No. 3991".

[No. 31/50/63-ONG-10.]

S.O. 1819.—In the Schedule to the notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 355 dated the 17th January, 1964, published in the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 1st February, 1964.

(1) At page 367

(i) for $\frac{\text{B-B-B}}{0-2-0}$ against Survey No. 1276/3 of village Naugawan" read $\frac{\text{B-B-B}}{1-2-0}$ against survey No. 1276/3 of village Naugawan".

(ii) for "Survey No. 1644 of village Naugawan" read "Survey No. 1544 of village Naugawan".

(2) At page 369 for "Survey No. 764 of village Pooranpur" read "Survey No. 768 of village Pooranpur".

(3) At page 371

(i) for $\frac{\text{B-B-B}}{0-8-0}$ against Survey No. 761 of village Tilsahri Khurd" read $\frac{\text{B-B-B}}{0-8-8}$ against Survey No. 761 of village Tilsahri Khurd".

(ii) for "Survey No. 1220 of village Tilsahri Khurd" read "Survey No. 1020 of village Tilsahri Khurd".

(4) At page 372 for $\frac{\text{"B-B-B}}{0-8-0}$ against Survey No. 156 of village Uchti" read $\frac{\text{"B-B-B}}{0-6-6}$ against Survey No. 156 of village Uchti".

(5) At page 373 for $\frac{\text{"B-B-B}}{0-3-0}$ against Survey No. 142 of village Satbari" read $\frac{\text{"B-B-B}}{1-3-0}$ against Survey No. 142 of village Satbari".

[No. 31/50/63-ONG-11.]

S.O. 1820.—In the Schedule to the Notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 27, dated 24th December, 1963, published in the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 4th January, 1964.

(1) At page 13 for $\frac{\text{"B-B-B}}{0-0-0}$ against Survey No. 2170 of village Katoghan" read $\frac{\text{"B-B-B}}{0-0-10}$ against Survey No. 2170 of village Katoghan".

(2) At page 14 for "Survey Nos. 1362 and 3388 of village Haroon" read "Survey Nos. 1352 and 3288 respectively of village Hardon".

[No. 31/50/63-ONG-12.]

S.O. 1821.—In the Schedule to the notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 1194, dated the 21st March, 1964, published in the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 4th April, 1964.

(1) At page 1441 for "Acres .05 against survey No. 59 of village Bahora Chandel" read "Acres .08 against survey No. 59 of village Bahora Chandel".

(2) At page 1442 for "survey No. 25/2 of village Bairi Kalan" read "survey No. 75/2 of village Bairi Kalan".

(3) At page 1447 for "Survey No. 604/1 of village Serai Dharchit" read "Survey No. 704/1 of village Serai Dharchit".

(4) At page 1447 for "Survey No. 51/11 of village Osari" read "Survey No. 52/11 of village Osari".

(5) At page 1448 for "Survey No. 403 of village Jalalpur" read "Survey No. 503 of village Jalalpur".

(6) At page 1450 for "Survey No. 89/1 of village Matkutti" read "Survey No. 89/2 & 3 of village Matkutti".

(7) At page 1450 for "Survey No. 88/1 of village Nasirpur Pattan" read "Survey No. 88/2 of village Nasirpur Pattan".

[No. 31(50)/63-ONG]

S.O. 1822.—In the Schedule to the notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 1085, dated the 18th March, 1964, published in the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 28th March, 1964.

(1) At page 1317 for $\frac{\text{"B-B-B}}{0-2-0}$ against survey No. 537 of village Lehadi" read $\frac{\text{"B-B-B}}{0-7-0}$ against survey No. 537 of village Lehadi".

(2) At page 1318

(i) For $\frac{\text{"B-B-B}}{0-8-10}$ against survey No. 291 of village Bisahjan Khurd" read $\frac{\text{"B-B-B}}{0-8-0}$ against survey No. 291 of village Bisahjan Khurd".

(ii) for $\frac{\text{"B-B-B}}{1-2-0}$ against survey No. 759 of village Sorawan Pati" read $\frac{\text{"B-B-B}}{0-3-10}$ against survey No. 759 of village Sorawan Pati".

(3) At page 1319

(i) for "survey No. 472 of village Kathauli" read "survey No. 477 of village Kathauli".

(ii) for $\frac{\text{"B-B-B"}{0-5-5}$ against survey No. 734/1 of village Kathauli" read $\frac{\text{"B-B-B"}{0-4-5}$ against survey No. 734/1 of village Kathauli".

[No. F. 31(50)63-ONG.]

New Delhi, the 20th May 1964

S.O. 1823.—In the Schedule to the notification of the Government of India in the Ministry of Petroleum and Chemicals S.O. No. 1193, dated the 21st March, 1964, published in the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 4th April, 1964.

(1) At page 1434 for $\frac{\text{"B-B-B"}{0-3-15}$ against survey No. 376 of village Emadpur" read $\frac{\text{B-B-B}}{1-3-15}$ against survey No. 376 of village Emadpur".

(2) At page 1439 for "S. No. 35 Akwalpur" read "35 Alawalpur".

[No. 31(50)63-ONG.]

P. P. GUPTA, Under Secy.

THE MADRAS CENTRAL EXCISE COLLECTORATE, MADRAS

CENTRAL EXCISES

Madras, the 17 April 1964

S.O. 1824.—In exercise of the powers under Rule 5 of the Central Excise Rules 1944, the undersigned hereby empowers the Assistant Collectors of Central Excise in the Madras Central Excise Collectorate dealing with refund applications to exercise within their respective jurisdiction, the power of Collector of Central Excise viz., to condone delays in presentation of claims for rebate of excise duty up to a period of 15 days after the expiry of the three months from the date of export, conferred under the proviso to para 5 of the Appendix to Rule 12-A of the said rules, in respect of all excisable materials.

[No. C. IV/16/470/63 CE.Pol.II.]

A. K. ROY, Collector.

MINISTRY OF STEEL, MINES & HEAVY ENGINEERING

(Department of Iron and Steel)

CORRIGENDUM

New Delhi, the 19th May 1964

S.O. 1825.—In the schedule annexed to Department Notification No. SC(A)-2 (16)/63, dated the 29th April, 1964, published in Part II, Section 3(ii) of the Gazette of India, dated the 9th May, 1964.

Under Delhi in column 2,

For Assistant Director, Civil Supplies, Delhi

Read Joint Director, Civil Supplies, Delhi.

[No. SC(A)2(1)/64.]

A. N. RAJAGOPALAN, Under Secy.

MINISTRY OF INTERNATIONAL TRADE*New Delhi, the 18th May, 1964*

S.O. 1826.—The Central Government hereby notifies that Shri P. K. Kumaran, a Member of Parliament, has been elected by the Rajya Sabha as a member of the Rubber Board under clause (e) of sub-section (3) of section 4 of the Rubber Act, 1947 (24 of 1947) for a period of three years with effect from the 24th May, 1964, or for so long as he continues to be a Member of the Rajya Sabha, whichever is earlier.

[No. F.15(2)Plant(B)/64.]

B. KRISHNAMURTHY, Under Secy.

New Delhi, the 19th May 1964

S.O. 1827.—In exercise of the powers conferred by sub-section (2) of section 3 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952) the Central Government hereby appoints Shri S. V. Kogekar as Member of the Forward Markets Commission, Bombay, with effect from the forenoon of the 2nd May, 1964 *vice* Shri Syed Noor.

[No. 37(6)-Com.Gen.(FMC)/64.]

New Delhi, the 20th May 1964

S.O. 1828.—The Central Government, having considered in consultation with the Forward Markets Commission, the application for renewal of recognition made under section 5 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952) by The Central India Commercial Exchange Limited, Gwalior, and being satisfied that it would be in the interest of the trade and also in the public interest so to do, hereby grants, in exercise of the powers conferred by section 6 of the said Act, recognition to the said Exchange for a further period of three years ending the 1st June, 1967, in respect of forward contracts in linseed.

2. The recognition hereby granted is subject to the condition that the said Exchange shall comply with such directions as may from time to time be given by the Forward Markets Commission.

[No. 34(6)-Com. (Genl) (FMC)/64.]

K. K. SACHDEV, Under Secy.

TEA CONTROL*New Delhi, the 18th May 1964*

S.O. 1829.—In exercise of the powers conferred by section 4 of the Tea Act, 1953 (29 of 1953), read with rules 4 and 5 of the Tea Rules, 1954, the Central Government hereby appoints Mr. H. K. FitzGerald as a member of the Tea Board until the 31st March, 1966, in the vacancy caused by the resignation of the Hon'ble S. P. Sinha, and makes the following further amendment in the notification of the Government of India in the late Ministry of Commerce and Industry No. S.O. 1151 dated the 20th April, 1963, namely:—

In the said notification, for entry 7, the following entry shall be substituted, namely:—

"7. Mr. H. K. FitzGerald,
Messrs. Balmer Lawrie and Co., Ltd.,
Calcutta.

} Representing
owners of tea
estates and
gardens and
growers of tea."

[No.7(1)Plant(A)/62.]

S. BANERJEE, Dy. Secy.

MINISTRY OF HEALTH*New Delhi, the 16th May 1964*

S.O. 1830.—The Government of the Union Territory of Himachal Pradesh having nominated Dr. D. K. Bhattacharya, Assistant Director of Health Services (Public

Health), Himachal Pradesh, to represent that Government on the Drugs Consultative Committee, the Central Government in pursuance of the provisions of Section 7 of the Drugs Act, 1940 (23 of 1940) hereby makes the following further amendments to the notification of the Government of India in the Ministry of Health No. F. 1-3/47-D(II), dated the 13th September, 1948, namely:—

In the said notification, under the heading "Nominated by the State Governments,"

for the entries against serial No. 15, the following entries shall be substituted, namely:—

"Dr. D. K. Bhattacharya,
Assistant Director of Health Services
(Public Health), Himachal Pradesh."

[No. F. 4-1/63-D.]

KRISHNA BIHARI, Dy. Secy.

CORRIGENDUM

New Delhi, the 19th May 1964

S.O. 1831.—In the notification of the Government of India in the Ministry of Health No. 5-44/61-MI/MPT, dated the 7th May, 1964, in the second paragraph, for the words "non-permanent employees" read "Non-pensionable permanent employees".

[No. F. 5-44/61-MI/MPT.]

B. B. L. BHARADWAJ, Under Secy.

MINISTRY OF FOOD AND AGRICULTURE

(Department of Agriculture)

New Delhi, the 18th May 1964

S.O. 1832.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment of persons to the Class III and Class IV posts in the Directorate of Extension, New Delhi namely:—

1. **Short Title.**—These rules may be called the Directorate of Extension (Class III and Class IV Posts) Recruitment Rules, 1964.

2. **Application.**—These rules shall apply to the Class III (Ministerial and Non-Ministerial) and Class IV posts in the Directorate of Extension, New Delhi mentioned in column 1 of the schedule to these rules.

3. **Number, Classification and Scale of Pay.**—The number of the said posts, their classification and the scale of pay attached thereto shall be as specified in columns 2 to 4 of the Schedule aforesaid.

4. **Method of Recruitment, Age limit and Other Qualifications.**—The method of recruitment to the said posts, age limit, qualifications, and other matters connected therewith shall be specified in columns 5 to 12 of the Schedule aforesaid:

Provided that the upper age limit prescribed for direct recruitment may be relaxed in the case of Scheduled Castes, Scheduled Tribes, displaced persons and other special categories of persons in accordance with the orders issued from time to time by the Government of India.

5. **Disqualification.**—(a) No person, who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life-time of such spouse, shall be eligible for appointment to any of the said posts; and

(b) No woman, whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to any of the said posts:

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

6. **Power to relax.**—Where the Central Government is of opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

Recruitment Rules for the Non-Gazetted Posts in Directorate of Extension

Name of the post	No. of posts	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Educational & other qualifications required
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1	2	3	4	5	6	7
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Superintendent Grade II	10	(Class III Ministerial (Non-gazetted))	Rs. 350— 20—450— 25—475	Selection	N.A.	..
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Accountant .	4	Class III (Ministerial (Non-Gazetted))	Rs. 270—15 —435 EB—20— 575.	N.A.	N.A.	N.A.
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Caretaker .	1	Class III (Non-Ministerial) (Non-gazetted)	Rs. 210— 10—290— 15—320— EB—15— 425	Selection post	Below 30 years	<i>Essential.</i> 1. Should be atleast Matriculate 2. Should have the ability and aptitude to perform duties relating to the general upkeep of the buliding and also the capacity to command and extract work from the staff under him.
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Upper Division Clerk (including Cashier)	59	Class III Ministerial (Non-Gazetted)	Rs. 130— 5—160— 8—200— EB—8— 256—EB— 8—280— 10—300— Special pay of Rs. 25/- p.m. for Cashier	Non-selection	N.A.	N.A.
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Ministry of Food and Agriculture (Department of Agriculture)

Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotees/Transfers	Period of probation if any	Method of recruitment whether by direct recruitment or by promotion or transfer and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion /transfer grades from which to be made	Remarks
8	9	10	11	12
N.A.	2 years	75 % by promotion and 25% by transfer on deputation	1' U.D.Cs with a minimum experience of 7 years in the grade 2. Transfer on deputation (Gr. IV of C. S. S. from the cadre of Deptt. of Agriculture)	
N.A.	N.A.		By deputation/ transfer S. A. S. Accountant from Civil/ Defence or Railway Accounts/ Audit Department of the Central Government	
No.	2 years		By Departmental promotion falling which by direct recruitment. U. D. C. and Store Clerk with atleast 3 years service as such.	
N.A.	2 years	By departmental promotion—66 2/3% by promotion on the basis of seniority subject to the rejection of unfit and 33 1/3% by competitive written test limited to L. D. C's with 3 years service	L.D.C. who have put in 3 years service as L.D.C.	U.D.C. (Cashier). in case of U. D Cs (Cashier) the U. D. Cs with 3 years service as such or in similar or higher capacity will be considered. In addition they should also possess experience of cash and Account work.

1	2	3	4	5	6	7
Lower Division Clerk (including Stenotypist)	90+ 12	Do.	Rs. 110—3 131—4— 155—EB— 175—5— 180. Special pay of Rs. 20/-p.m. for Ste- notypist	N.A.	18—21 years	<i>Essential</i> (1) Matriculate or equivalent qualifications (2) A speed of 30 W.P.M. in type-writing (Physically handicapped exempted) <i>Desirable</i> Experience in some private firm of repute or Government office. For Steno-typists : 80 W. P. M. in shorthand and 40 W. P. M. in typing
Bin Clerk	1	Do.	Rs. 110— 3—131 4—155 EB—4— 175—5— 180	Do.	Do.	(i) Matriculation or equivalent (ii) Should have experience of handling printing, photographic and paper stores
Computers	2	Class III (Non-Gazetted Non-Ministerial)	Rs. 110—4—150 .. EB—4— 170—5— 180—EB 5—200 plus Rs. 15/-	..	Below 25 years	(i) At least a second Class Matriculate (ii) Proficiency in the use of Electrically operated calculating/ tabulating Machines.
Ledger Clerks (Stores)]	2	Class III Ministerial (Non-Gazetted)	Rs. 130— 5—160— 8—200— EB—8— 256— EB—8—280 —10—300	Non- Selection	19—25 years	<i>Essential</i> (1) Intermediate or equivalent qualifications (2) About two years experience of accounts work in a Stores Organisation of Government or Commercial undertaking.
Store Clerk	2	Do.	Do.	Do.	Do.	<i>Essential</i> (1) Intermediate or equivalent qualifications. <i>Experience :</i> Three years experience in handling stores in some Government office or reputed private firm

8	9	10	11	12
N.A.	2 years	By direct recruitment		
N.A.	2 years	By direct recruitment	N.A.	
N.A.	Two years	By Direct recruitment	N.A.	..
N.A.	..	..	..	..
N.A.	2 years	By promotion failing which by direct recruitment	Promotion :— Bin Clerks with 3 years experience	
N.A.	Do.	Do.	Do.	

1	2	3	4	5	6	7
Store Keeper	2	Class III Ministerial (Non-Gazetted)	Rs. 205— 7—240— 8—280— 10—300.	Non-Selection	19—25 years	(1) Intermediate or equivalent qualifications preferably in commerce. (2) Should have at least 3 years' experience of handling stores, preferably printing and photographic materials. (3) Should be conversant with methods of Store Accounting, custody and transport of Stores.
Stenographer (Senior)	5	Do.	Rs. 210—10— 290—15— 320—EB— 15—425	Selection	18—25 years.	(1) Matriculation or equivalent qualifications. (2) Shorthand speed at the rate of 120 W. P. M. and typing at 50 W.P.M.
Stenographer (Junior)	22	Class III Ministerial (Non-Gazetted)	Rs. 130—5— 160—8— 200—EB— 8—256— EB—8—280 —10—300.	N.A.	18—24 years.	(1) Matriculation or equivalent. (2) Shorthand speed at the rate of 100 W.P.M. & typing at 40 W.P.M.
Artist (Senior Grade)	4	Class III (Non-Ministerial) (Non-Gazetted)	Rs. 370—20 —450—25 —575.	Selection post.	Below 30 years.	<i>Essential :</i> Diploma from a recognised school of Art. <i>Experience :</i> Practical knowledge of layouts in colour and black and white for various publicity materials. Preference to be given to those Artists who are familiar with rural conditions and who have already prepared layouts for materials on agricultural and allied subjects. <i>Desirable :</i> Knowledge of photographic work & experience in exhibits will be an additional qualifications. Some knowledge of Offset and Letter Press Printing.

8	9	10	11	12
N.A.	2 years.	By promotion failing which by direct recruitment.	<i>Promotion :</i> Stores/Ledger Clerks with 3 years' experience of Store Keeping.	
N.A.	Do.	By promotion failing which by transfer.	1. <i>Promotion</i> from Departmental Stenographers (Junior) (Rs. 130—300) who have put in 3 years' service in the grade. 2. <i>Transfer</i> from other Departments from among Stenographers (Scale of pay Rs. 210—425).	
<i>Transferees :</i> Age—No Qualifications— Yes.				
N.A.	2 years	By direct recruitment.	..	
N.A.	Do.	50% by promotion and 50% by direct recruitment.	<i>Promotion :</i> Artists (Junior) with atleast 3 years' service as such.	

1	2	3	4	5	6	7
Artist (Junior Grade).	5	Class III ^g (Non-Ministerial) (Non-Gazetted).	Rs. 210—10— 290—15— 320—EB— 15—425.	N.A.	Below 25 years.	<p><i>Essential :</i> A certificate of a School of Art or an Institution of Art and Craft.</p> <p><i>Experience :</i> (a) A good background of Commercial art and experience in figure drawing and preparation of modern designs and layouts. (b) Proficiency in cartography and draftsmanhip.</p>
Librarian	1	Do.	Rs. 325—15— —475.	Selection post.	Below 30 years.	<p><i>Essential :</i> (a) A degree of recognised University. (b) Library Science Diploma from a recognised University.</p> <p><i>Experience :</i> Three years experience of cataloguing, storing, indenting, Despatching of books and publications, etc.</p>
Assistant Librarian	3	Do.	Rs. 210—10— 290—15— 320—EB— 15—425.	N.A.	Below 25 years.	<p><i>Essential :</i> (1) A degree of a recognised University. (2) Library Science Diploma from a recognised University.</p> <p><i>Experience :</i> About 2 years' experience in handling cataloguing, storing, Indexing and despatching of books and periodicals or films.</p>
Sales Assistant	3	Do.	Do.	N.A.	Do.	<p><i>Essential :</i> (a) Must have passed the Intermediate or equivalent examination of a recognised University. (b) About 3 years' experience relating to display & sale of publications including field work with a publishing house or a book seller of standing of a similar Govt. publishing organisation. (c) Should have a good personality and flare for salesmanship. Should be able to talk fluently in English and Hindi.</p>

8	9	10	11	12
N.A.	2 years	Direct recruitment.	Not applicable.	..

Promotion :

N.A.	Do.	Promotion failing which by direct recruitment,	Assistant Librarian with at least 3 years' service as such	..
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N.A.	Do.	Direct recruitment.	Not applicable.	..
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N.A.	Do.	Do.	N.A.	..
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1	2	3	4	5	6	7
Cameraman-cum-Plate-maker. }	2	Class III (Non-Ministerial (Non-Gazetted)	Rs. 210—10— 290—15— 320—EB— 15—425.	Selection post.	Below 30 years	<i>Essential :</i> (1) Matriculation or equivalent qualifications. (2) 5 years experience of Process Camera and Plate-making work.
Assistant Cameraman-cum-Plate-maker.	1	Do.	Rs. 130—5— 160—8— 200—EB— 8—256— EB—8—280 10—300.	N.A.	Below 25 years	<i>Essential :</i> (1) Matriculation or equivalent qualification. (2) 3 years experience of Process Camera and Plate-making work.
Press Operator	3	Do.	Rs. 210—10— 290—15— 320—EB— 15—425.	Selection post	Below 30 years	<i>Essential :</i> (1) Matriculation or equivalent qualification. (2) A certificate of training from a vocational institute or a Govt. organisation, in operation, of Davidson Machines. (3) 5 years experience in the operation of offset Printing Machines, out of which 2 years must have been spent on operation of Davidson Machines.
Assistant Press Operator	2	Do.	Rs. 130—5— 160—8— 200—EB— 8—256— EB—8— 280—10— 300.	Selection post.	Below 25 years	<i>Essential :</i> (1) Matriculation or equivalent qualification. (2) 3 years experience of operation of Davidson Machines or Baby Offset Machines.
Projector Operator	1	Do.	Rs. 200—10— 290—15— 320.	Selection post.	Below 30 years	<i>Essential :</i> (1) Matriculation. (2) Must have a good knowledge of 16 and 35 mm. sound Projector machines and the equipment used and an elementary knowledge of electricity (3) Must be able to make precision adjustments, locate minor faults and be able to set them right & service the equipment.

8	9	10	11	12
N.A.	2 years	50% By promotion , 50% by direct recruit- ment.	Promotion : Assistant Cameraman-cum-Platemaker with at least 3 years, experience as such.	
N.A.	2 years	By direct recruitment.	N.A.	
N.A.	Do.	50 % by promotion, 50% by direct re- cruitment.	Promotion : Assistant Press Opera- tor with at least 3 years experience as such.	
N.A.	Do	Do.	Promotion : Paperman with at least 3 years service, as such.	
N.A.	2 years	By promotion failing which by direct re- cruitment.	Promotion: Assistant Projector Operator with at least 3 years service as such.	

1	2	3	4	5	6	7
						<p>(4) Must be able to train others in operation of 35 and 16 mm. projectors.</p> <p>(5) Must have experience of four years of operating Audio-visual equipment including Projectors, tape-recorders, etc.</p> <p>(6) Must have a licence from a competent authority.</p>
Assistant Projector Operator	I	Class III (Non-Ministerial) (Non-Gazetted)	Rs. 130—5— 160—8— 200—EB— 8—256— EB—8— 280—10— 300.	N.A.	Below 25 years	<p><i>Essential :</i></p> <p>(1) Should have passed Matriculation or equivalent examination from a recognised University.</p> <p>(2) Must have a practical knowledge of 16 mm. and 35 mm. films, cleaning, repairing and checking thereof.</p> <p>(3) Must be well versed in operation of 16 mm. Projectors.</p> <p>(4) Must have 3 years experience and a licence from a competent authority.</p>
Caligraphist	I	Do.	Rs. 205—7— 240—8—280	N.A.	Below 30 Year	<p><i>Essential :</i></p> <p>(1) Should have at least 5 years sign-writing experience.</p> <p>(2) Should be able to write correctly in Hindi and English.</p> <p><i>Desirable :</i></p> <p>(1) Preference will be given to persons who have worked in model making workshops or have done exhibition work.</p>

8	9	10	11	12
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N.A. 2 years By direct recruitment. N.A.

N.A. Do. By direct recruitment. N.A.

	1	2	3	4	5	6	7
I B M Operator	2	Class III (one Hindi & one English)	Rs 130-5-160-8-200-EB-8-256-EB 8-280-10-300	Non-Selection post	Below 30 years	<i>Essential —</i>	<p>(1) Matriculation or equivalent qualification</p> <p>(2) A certificate of training on I B M, Trade Corporation, or from a Government organisation.</p> <p>(3) 3 years experience in the operation of English I B M machine for the post of I B M. Operator (English) and 3 years experience on Hindi I B M machine for the post of I B M. operator (Hindi).</p> <p>(4) Knowledge of mechanical pressure adjustments and lubrication of the machine.</p>
Junior I.B.M Operator.	1	Do	Rs 110-3-131-4-155-EB-4-175-5-180.	Do	Below 25 years	<i>Essential —</i>	<p>(1) Matriculation or equivalent examination.</p> <p>(2) Certificate of training from M/s. World Trade Corporation in the Operation of I. B. M. Composing machine, or from a printing concern of repute</p> <p>(3) Good typing speed on electric typewriters</p> <p><i>Desirable</i></p> <p>(1) Knowledge of printing process desirable.</p>
Grapho-type Operator	1	Do	Rs 130-5-160-8-200-EB 8-256-EB-8-280-10-300	Do.	Below 30 years	<i>Essential —</i>	<p>(1) Matriculation of a recognised University or equivalent</p> <p>(2) Should have atleast 5 years experience of operating power driven automatic embossing and addressing machines both for printing & plate-making of addresses.</p>

8	9	10	11	12
N.A.	2 yrs.	50% by promotion 50% by direct re- cruitment.	Promotion I.B.M.* Operators (Junior) with at least 3 years service as such	

N.A. Do. By direct recruitment. Not applicable.

N.A. Do. Do. Do.

1	2	3	4	5	6	7
Mechanic	I	Class III (Non Ministerial) (Non- Gazetted)	Rs 150—5— 175—6—205 EB—7—240	Non- Selec- tion post	Below 35 years	<p><i>Essential</i></p> <p>(1) Certificate of Wireman I Grade.</p> <p>(2) 5 years' experience of handling mechanical apparatus, like working models etc</p> <p><i>Desirable</i> -</p> <p>Preference will be given to Person who has worked on working models preferably in model making workshop or exhibition</p>
Electrician	I	Do.	Rs. 140—5— 175	N.A.	21—30 years	<p><i>Essential</i> :</p> <p>(1) Should be in possession of an Electrical Supervisor' Licence issued by a State Government and be able to read electrical wiring diagrams</p> <p>(2) Middle School standard pass</p> <p><i>Experience</i>·</p> <p>Should have atleast two years' experience in one or more of the following branches.</p> <p>(a) Repairs and winding electric motors and generators A.C./D.C.</p> <p>(b) Repairs and installations of electrical equipment e.g., machines</p> <p>(c) Repairs and maintenance of electrical equipments.</p> <p><i>Desirable</i>:</p> <p>Experience of illuminating exhibits and Exhibition stalls and of animating working exhibits will be considered an additional qualifications</p>

8	9	10	11	12
N.A.	2 years.	By direct recruitment.	N.A.	..

N.A.	2 yrs.	Do.	N.A	..
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1	2	3	4	5	6	7
Addressograph Operator.	1	1 Cass III (Non-Ministerial) (Non-Gazetted).	Rs. 110-3-131-4-155 -EB-4-175 -5-180	N.A.	Below 25 years.	<p><i>Essential :</i></p> <ol style="list-style-type: none"> 1. Matriculation of a recognised University or equivalent. 2. Should have atleast 2 years experience of operating power driven automatic addressing machine, both for printing and plate making of addresses.
Bromide Printer.	1	Do.	Rs. 140-5-175	Do.	Do	<p><i>Essential :</i></p> <ol style="list-style-type: none"> 1. Matriculation or equivalent qualifications. 2. At least three years experience in developing, printing, retouching, finishing and dry mounting of photographs in a firm of repute or in a Government Organisation.
Painter	2	Do.	Rs. 125-3-131-4-155	Do.	Below 35 years	<p><i>Essential:</i></p> <p>Should have atleast 5 years experience in the working of spray & bush painting & Stencil work.</p> <p><i>Desirable:</i></p> <p>Preference will be given to persons who have worked in model making workshops or have done exhibition work.</p>
Carpenter Grade I.		Do.	Rs. 140-5-175	Selection post	Below 35 years	<p><i>Essential :</i></p> <p>Should have atleast 7 years experience of Carpenter's work preferably in some model making Workshop or have done exhibition work.</p>
Carpenter	2	Do.	Rs. 125-3-131-4-155	N.A.	Do.	<p><i>Essential:</i></p> <p>Should have atleast 5 years experience of Carpenter's work preferably in some model making Workshop or have done exhibition work.</p>

8	9	10	11	12
N.A.	2 yrs.	By direct recruitment	N.A.	
N.A.	Do.	Do.	Do.	
N.A.	Do.	Do.	Do.	
N.A.	Do.	Promotion falling which by direct recruitment.	Promotion : Carpenters in the scale of Rs. 125-3-131-4- 155 with 3 years ex- perience in the post.	
N.A.	Do.]	By direct recruitment.	N.A.	

1	2	3	4	5	6	7
Drivers.	1	Class III (Non-Min- isterial) (Non-Gazetted)	Rs. 110—3— 131—4—139	N.A.	Below 35 years.	<p><i>Essential :</i></p> <p>(1) Should have a driving licence.</p> <p>(2) Experience in driving at least 5 years.</p> <p><i>Desirable :</i></p> <p>(1) Middle School Standard Pass.</p>
Sub-Editor (English)	2	Do.	Rs. 330—15— 435—EB— 20—535	Selection post.	Below 30 years.	<p><i>Essential:</i></p> <p>(1) Degree of a recognised University.</p> <p>(2) About three years experience in editing, re-writing article and other information materials in simple language.</p> <p>(3) Adequate knowledge of the various state in production of publications or visual aids.</p>
Sub-Editor (Hindi)	1	Do.	Do.	Do.	Do.	<p><i>Essential:</i></p> <p>(1) A degree of a recognised University.</p> <p>(2) Proficiency in Hindi preferably Hindi as a full subject for the degree examination of a recognised University.</p> <p>(3) At least three years experience in translating articles, leaflets, pamphlets, etc. bearing on technical subjects from English into simple Hindi. Must be conversant with press preparation of material and familiarity with various steps of production of public or visual aids.</p>

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N.A.	2 years	Direct recruitment. Preference will be given to regularly appointed Class IV employees of the Directorate of Extension who fulfil the requisite qualifications etc. Where no suitable person from among them is available, recruitment will be made through the Employment Exchange.	N.A.
N.A.	Do.	Promotion 50%, direct recruitment 50 %.	Promotion : Technical Assistants, provided they fulfil the qualifications with at least 3 years service as such.

N.A.

Do.

Do.

Do.

1	2	3	4	5	6	7
Sub-Editors (Regional languages)	5	Class III (Non- Ministerial) (Non- Gazetted)	Rs. 330—15— 455—EB— 20—535.	Selection post.	Below 30 years	<p><i>Essential :</i></p> <ol style="list-style-type: none"> (1) A degree of a recognised University. (2) Proficiency in the particular regional Language, preferably as a full subject for the degree examination of a recognised University. (3) At least three years experience in translating articles, leaflets from English into simple regional languages. Must be conversant with press preparation of material and familiarity with various steps of production of publications or visual aids.
Information Assistant.	6	Do.	Rs. 210—10— 290—15— 320—EB— 15—425.	N.A.	<p>Minimum 22 years Maximum 30 years.</p>	<p><i>Essential :</i></p> <ol style="list-style-type: none"> (1) A degree from any recognised University, preferably in agriculture or Veterinary Sciences. (2) Ability to write in simple English or Hindi (as the case may be) articles or other materials. (3) Familiarity with various steps involved in printing and production of publications. <p><i>Desirable:</i> Knowledge of rural conditions and problems.</p>
Exhibition Assistant.	3	Class III (Non- Ministerial) (Non- Gazetted)	Rs. 210—10— 290—15—320— EB—15—425	N.A.	<p>Minimum 22 years Maximum 30 years.</p>	<p><i>Essential:</i></p> <ol style="list-style-type: none"> (1) A degree or diploma in Agriculture/ Animal Husbandry or Veterinary Science from any recognised University. (2) Atleast a year's experience in mounting exhibitions or display or exhibits pertaining to agriculture/ animal husbandry or veterinary science.

8	9	10	11	12
N.A.	2 yrs.	Promotion 50% direct recruitment 50%	Promotion : Technical Assistants, provided they fulfil the qualifications with atleast 3 year's service as such.	

N.A. Do. | By direct recruitment. N.A.

N.A. 2 yrs. By direct recruitment. N.A. N.A.

1	2	3	4	5	6	7
						<p><i>Desirable :</i></p> <p>(1) Good working knowledge of Hindi and/or other Indian languages.</p> <p>(2) Capacity to handle labour engaged in putting up exhibitions.</p> <p>(3) Some experience in agriculture/animal Husbandry or allied subjects in the field.</p>
Information Assistant (Hindi)	1	Class III (Non-Ministerial) (Non-Gazetted).	Rs. 210—10—290 N.A. 15—320—EB—15 425.	Minimum 22 years; Maximum 30 years.		<p><i>Essential :</i></p> <p>(1) A Degree of a recognised University with Hindi as one of the elective subjects.</p> <p>(2) Ability to write articles in simple Hindi.</p> <p>(3) Familiarity with the printing and production of publication.</p> <p><i>Desirable :</i></p> <p>Knowledge of rural conditions and problems.</p>
Technical Assistant (Statistics)	1	Do.	Do.	Do.	Do.	<p><i>Essential :</i></p> <p>(1) B.A. or B.Sc. Degree of a recognised University with Mathematics or statistics as one of the subjects.</p> <p>(2) Some basic grounding in statistical work.</p> <p><i>Desirable :</i></p> <p>(1) Experience in compilation and analysis of statistical data.</p> <p>(2) Knowledge of agricultural problems in India.</p>

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N.A.

2 Years

By direct
recruitment

N.A.

N.A.

N.A.

Do.

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1	2	3	4	5	6	7
Technical Assistant (Cooperation).	1	Class III (Non-Ministerial) (Non-Gazetted).	Rs. 210—10 —290—15 320—BB— —15—425.	N.A.	Minimum 22 years maximum 30 years.	<p><i>Essential.</i></p> <p>(1) Graduate preferably in Agriculture (with Agricultural Economics as one of the subject) or Economics.</p> <p>(2) At least three years experience of field work in Cooperation Department of a State.</p> <p><i>Desirable.</i></p> <p>(1) Training in Cooperation in the Institutes run by the Indian Co-operative Union.</p> <p>(2) Experience of Agricultural Marketing work.</p>
Technical Assistant (Animal Husbandry).	1	Do.	Do.	Do.	Do.	<p><i>Essential.</i></p> <p>(1) A degree in Veterinary Science or Animal Husbandry</p> <p><i>Desirable.</i></p> <p>Either post graduate degree or 3 years experience in Agril. Planning & Development department (pertaining to Veterinary Science or Animal Husbandry subjects) in the States or Central Ministry.</p>
Technical Assistant (Home Science).	2	Do.	Do.	Do.	Do.	<p><i>Essential.</i></p> <p>(1) A degree in Home Science.</p> <p><i>Desirable.</i></p> <p>(1) Post Graduate degree in Home Science.</p> <p>(2) Experience in teaching, Office work or social work.</p> <p>(3) Diploma in Teacher Training.</p>
Technical Assistant (Economics).	3	Do.	Do.	Do.	Do.	<p><i>Essential.</i></p> <p>(1) A degree of a recognised University with economics or Agricultural Economics as one of the elective subject.</p> <p>(2) Ability to compile and analyse agro-economic data.</p> <p><i>Desirable.</i></p> <p>(1) Knowledge of rural conditions in India.</p> <p>(2) Familiarity with agricultural and economic problems in India.</p>

8	9	10	11	12
N.A.	2 years	By direct recruitment .	N.A.	N.A.

N.A. Do. Do. Do. Do.

N.A. Do. Do. Do. Do.

N.A. Do. Do. Do. Do.

1	2	3	4	5	6	7
Technical Assistant (Youth Activities)	1	Class III (Non-Ministerial) (Non-Gazetted).	Rs. 210—10 —290—15 —320—EB —15—425.	N.A.	Minimum 22 years Maximum 30 years.	<i>Essential:</i> (1) A degree of a recognised University. (2) Experience of organising youth clubs in villages. (3) Familiarity with the cultural activities in rural areas. <i>Desirable.</i> Knowledge of rural conditions in India.
Technical Assistant (Agricultural).	9	Do.	Do.	Do.	Do.	<i>Essential:</i> A degree in Agriculture. <i>Desirable :</i> Either post graduate or Associateship of IARI in Agricultural Science or in the absence of any post graduate diploma/degree, three years experience in Agricultural Planning & Development Departments in the States or Central Ministries.
Head Binder	1	Do.	Rs. 130—5 —160—8— 200—EB— 8—256— EB—8— 280—10— 300.	Non- Selec- tion post.	Below 30 years.	<i>Essential:</i> (1) Middle School Standard Pass. (2) 5 years experience as a Binder in a printing concern of repute.
Paperman	1	Do.	Rs. 100—3 —130.	Do.	..	<i>Essential:</i> (1) Middle School Standard Pass. (2) 5 years experience as a binder or Inkman in a printing concern. Must be familiar with automatic feeders and their loading.
Binder	3	Class IV Non-Gazetted.	Rs. 80—1— 85—2—95 —EB—3— 110	Non- Selec- tion.	18—25 years.	<i>Essential:</i> (1) Middle School standard pass. (2) Must know some English and Hindi. (3) Must have 3 years experience as a Daftry Binder, Warehouseman, Stitcher, Cutter, or folder in a printing concern of repute or Government Department.

8	9	10	11	12
N.A.	2 years.	By direct recruitment.	N.A.	N.A.

N.A. Do. Do. Do. Do.

Promotion :

N.A. Do. By promotion failing which by direct recruitment. Binders, with at least 3 years service as such.

Promotion :

N.A. Do. By promotion failing which by direct recruitment. Binders Inkman with at least 3 years service as such.

Promotion :

N.A. 1 year 75 % by promotion and 25 % by direct recruitment. From Daftries and Packers with three years service as such.

1	2	3	4	5	6	7
Gestetner Operator (Junior).	1	Class IV Non-Gazetted	80—1— 85—2— 95—EB —3—110	Non-Selection.	18—25 years.	<i>For Direct Recruitment:</i> <i>Essential :</i> (1) Middle School Standard pass. 2. Should have proficiency of handling Gestetner Machine.
Daftry	32	Do.	Rs. 75—1— 85—EB— 2—95.	Non-Selection.	N.A.	(1) Middle School Standard pass. (2) Knowledge of maintenance and keeping of the official papers properly. 3. Should know cycling.
Takman	1	Do.	Rs. 75—1— 85—EB— 2—95—EB —3—110.	N.A.	18—25 years.	(1) Middle School Standard pass. (2) About 2 years experience of cleaning and oiling of offset machines.
Peon	59	Do.	Rs. 70—1— 80—EB— 1—85.	N.A.	Do.	<i>Essential:</i> (1) Middle School Standard pass. (2) Should know cycling.
Chowkidar	9	Do.	Do.	N.A.	Do.	<i>Essential</i> .—Nil. <i>Desirable :</i> Knowledge of cycling as also experience as a chowkidar.
Farash	5	Do.	Do.	N.A.	Do.	<i>Essential :</i> Nil. <i>Desirable :</i> Knowledge of cycling.
Sweeper	6	Do.	Do.	Do.	Do.	Do.]
Packer	16	Do.	Do.	N.A.	Do.	<i>Essential:</i> (1) Middle School Standard pass. (2) Should be able to read English or Hindi preferably both. (3) Should have at least 2 years' practical experience in packing work in a Govt. or private organisation, preferably dealing with publication.

8	9	10	11	12
N.A.	1 year	By promotion failing which by transfer, failing which by direct recruitment.	<i>Promotion</i> : Daftries with 3 years' service in the grade. <i>Transfer</i> : Persons working in similar or equivalent grades from other Central Govt. offices.	
<i>Transferees</i> Age--No. Qualifications —Yes.	Do.	By promotion failing which by transfer from other offices.	<i>Promotion</i> : Peons with 3 years' service. <i>Transfer</i> : Persons working in similar or equivalent grade.	
N.A.	Do.	By direct recruitment. Departmental candidates will also be eligible to compete provided they fulfil the age and educational qualifications laid down in Col. 6 & 7.	N.A.	
N.A.	Do.	By direct recruitment failing which by transfer from other offices.	<i>Transfer</i> : Persons working in similar or equivalent grades.	
N.A.	Do.	By direct recruitment failing which by transfer from other offices.	Do.	
N.A.	Do.	Do.	Do.	
N.A.	Do.	Do.	Do.	
N.A.	Do.	By direct recruitment.	N.A.	

(Department of Agriculture)
(Indian Council of Agricultural Research)

New Delhi, the 30th May 1964

S.O. 1833.—In pursuance of the appropriate provision of the Indian Cotton Cess Act, 1923 (14 of 1923), the Central Government are pleased to appoint the following persons to be members of the Indian Central Cotton Committee, Bombay, upto the period shown against them:

S. No.	Name and address	Section	Period
1.	Shri A. G. Reynolds, c/o Messrs. Gill & Co. Pvt. Ltd., Indu House, Dougal Road, Ballard Estate, Bombay.	4 (iv)	up to 31-3-66
	<i>Vice Shri N. C. Burgess resigned.</i>		
2.	Dr. T.C. Kala, Director of Agriculture, Govt. of Rajasthan, Jaipur.	4 (iv)	up to 31-3-67

[No. 1-11/64-Com III.]

J. S. UPPAL, Under Secy.

MINISTRY OF TRANSPORT

(Transport Wing)

MERCHANT SHIPPING

New Delhi, the 18th May 1964

S.O. 1834.—In pursuance of sub-section (2) of section 358 of the Merchant Shipping Act, 1958 (44 of 1958), the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Department of Commerce No. 70-MI(30)/29, dated the 18th November, 1933 relating to the appointment of officers to whom notice of shipping casualties should be given, namely:—

In the Schedule annexed to the said notification, in the entries in the column headed 'Officers' against the Port of Calcutta, for the entry "(1) The Deputy Conservator of the Port of Calcutta and the Senior Assistant Conservator of the Port of Calcutta", the following entry shall be substituted namely:—

“(1) The Deputy Conservator of the Port of Calcutta, the Senior Assistant Conservator of the Port of Calcutta, the Harbour Master (River) Port of Calcutta, and the Harbour Master (Port) Port of Calcutta.

[No. 38-MA(21)/63.]

New Delhi, the 22nd May 1964

S.O. 1835.—In exercise of the powers conferred by sub-section (1) of section 218 of the Merchant Shipping Act, 1958 (44 of 1958), read with rules 3 and 4 of the National Welfare Board for Seafarers Rules, 1963, the Central Government hereby makes the following further amendment in the Notification of the Government of India in the Ministry of Transport (Transport Wing), No. S.O. 3482, dated the 13th December, 1963, namely:—

In the said Notification, the existing entries 40 and 41 shall be renumbered as 41 and 42 respectively and before the entries as so renumbered the following entry shall be inserted, namely:—

“40. Shri K. Parthasarathy, }
 Principal Officer, Mer- }
 cantile Marine Depart- }
 ment, Madras. }

Representative of Societies
 interested in the welfare
 of seamen”.

[No. 6-MT(64)/62.]

P. N. ANAND, Under Secy.

MINISTRY OF INDUSTRY
(Indian Standards Institution)

New Delhi, the 15th May 1964

S.O. 1836.—In licence No. CM/L-570 held by M/s Radio and Electricals Mfg. Co. Ltd., Bangalore, the details of which are given in the notification published under S.O. 2719 in the Gazette of India, Part II, Sub-section 3 (ii) dated 21 September 1963, the following additional types of Cables have been included:

- (i) PVC Insulated Cables, unsheathed both with Aluminium and Copper Conductors, 250 Volts Grade;
- (ii) PVC Insulated Cables, unsheathed with Aluminium Conductors, 650 Volts Grade;
- (iii) PVC Insulated and PVC sheathed Cables with Copper Conductors, 650 Volts Grade.

[No. MD/12:988.]

A. N. GHOSH, Ag. Director.

(Indian Standards Institution)

New Delhi, the 18th May 1964

S.O. 1837.—In partial modification of the then Ministry of Commerce and Industry (Indian Standards Institution) notification published under S.O. 1951, dated 19th September 1958 in the Gazette of India, Part II, Section 3, Sub-Section (ii), dated 27th September 1958, the Indian Standards Institution hereby notifies that the marking fee per unit for Ferro-Gallo Tannate Fountain Pen Ink, details of which are given in the Schedule hereto annexed, has been revised. The revised rate of marking fee shall come into force with effect from 1st April 1964.

THE SCHEDULE

Sl. No.	Product/Class of Product	No. and Title of relevant Indian Standard	Unit	Marking Fee per Unit
1	(2)	(3)	(4)	(5)
1	Ferro-Gallo Tannate Fountain Pen Ink (0.1 percent Iron Content)	IS : 220-1959 Specification for Ferro-Gallo Tannate Fountain Pen Ink (0.1 percent Iron Content) (<i>Revised</i>)	10 Litres	22 nP.

[No. MD/18:2.]

S.O. 1838.—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961 and 1962, the Indian Standards Institution hereby notifies that amendment(s) to the Indian Standard(s), given in the Schedule hereto annexed, have been issued under the powers conferred by sub-regulation (1) of regulation 3 of the said regulations. These amendments come into force with immediate effect.

THE SCHEDULE

Sl. No.	No. and title of the Indian Standard amended	No. & date of Gazette Notification in which the establishment of the Indian Standard was notified	No. & date of the Amendment	Brief particulars of the Amendment
(1)	(2)	(3)	(4)	(5)
1	IS : 556-1960 Specification for Leclanche Type Radio Batteries (<i>Revised</i>)	S.O. 1463 dated 11 June, 1960	No. 3 April, 1964	The existing Sub-sub-clause 8.3.3.2 has been substituted by a new one.
2	IS : 582-1954 'Methods of Sampling and Test for Vegetable and Chrome Tanned Leathers'	S.R.O. 1172 dated 4 June, 1955	No. 1 March, 1964	<p>(Fig. 1)—Substitute 165 × 65 mm for 6.5" × 2.5"</p> <p>100 mm for 4"</p> <p>250 mm for 10"</p> <p>(Sub-clause 2.2.1, line 3)—Substitute '165 × 65 mm' for '6.5 × 2.5 in. (or 16.5 × 6.5 cm)'.</p> <p>[Sub-clause 2.2.1(a), line 4]—Substitute '100 mm' for '4 in. (or 10 cm)'.</p> <p>(Fig. 2)—Substitute 100 mm for 4"</p> <p>250 mm for 10"</p> <p>165 × 65 mm for 6.5" × 2.5"</p> <p>(Fig. 3)—Substitute 165 × 65 mm for 6.5" × 2.5"</p> <p>[Sub-clause 2.2.1 (a)]</p> <p>(i) Lines 6 and 7—Substitute '250 mm' for '10 in. (or 25 cm)'.</p> <p>(ii) Lines 9 and 10—Substitute '75 mm' for '3 in. (or 7.5 cm)'.</p> <p>(iii) Lines 10 and 11—Substitute '50 mm' for '2 in. (or 5 cm)'.</p> <p>(Sub-clause 2.2.2)</p> <p>(a) Lines 3 and 4—Substitute '165 × 65 mm' for '6.5 × 2.5 in. (or 16.5 × 6.5 cm)'.</p> <p>(b) Lines 8 and 9—Substitute '100 mm' for '4 in. (or 10 cm)'.</p> <p>(c) Line 11—Substitute '250 mm' for '10 in. (or 25 cm)'.</p> <p>(Sub-clause 2.2.3, line 3)—Substitute '165 × 65 mm' for '6.5 × 2.5 in. (or 16.5 × 6.5 cm)'.</p> <p>(Sub-clause 2.2.4, lines 3 and 4)—Substitute '165 × 65 mm' for '6.5 × 2.5 in. (or 16.5 × 6.5 cm)'.</p> <p>(Fig. 4)—Substitute 165 × 65 mm for 6.5" × 2.5"</p> <p>(Clause 5.1, line 1)—Substitute '12 mm' for 'half-inch'.</p> <p>(Clause 18.1, line 2)—Substitute '75 × 25 mm' for '3 × 1 in. (or 7.5 × 2.5 cm)'.</p> <p>(Sub-clause 21.2.2, line 4)—Substitute '75 mm' for '3 in. (or 8 cm)'.</p>

(1) (2) (3) (4) (5)

(Fig. 6)—Substitute 89 mm for $3\frac{1}{2}$ "
2.4 mm for $\frac{3}{32}$ "
62 mm for $2\frac{7}{16}$ "
94 mm for $3\frac{11}{16}$ "
276 mm for $10\frac{3}{8}$ "

(Sub-clause 21.2.4)

(a) Line 3—Substitute '85 mm' for '3.25 in. (or 8.3 cm)'.

(b) Line 4—Substitute '115 mm' for '4.5 in. (or 11.4 cm)'.

(Fig. 7)—Substitute 50 or 80 mm for 2" or 3"—

20 mm for $\frac{1}{2}$ "

50 or 75 mm DIA

for 2" or 3" DIA

(Sub-clause 22.1.1.1, line 2)—Substitute '50 mm or 80 mm' for '2 in. (or 5 cm) or 3 in. (or 8 cm)'.

(Sub-sub-clause 22.1.1.1, informal table)—Substitute the following for the existing informal table :

Thickness of Leather	Diameter
6 mm or below	50 mm
Over 6 mm	80 mm

(Sub-clause 22.1.2)

(a) Lines 6 and 7—Substitute '65 mm' for '2.5 in. (or 6.5 cm)'.

(b) Line 8—Substitute '180 mm' for 'in. (or 18 cm)'.

(c) Line 10—Substitute '20 mm' for ' $\frac{1}{2}$ in. (or 2 mm)'.

(Clause 23.2, line 4)—Substitute '250 \pm 50 mm' for '10 \pm 2 in.'

(Clause 23.5, line 2)—Substitute '64 mm' for '2 $\frac{1}{2}$ in.'

(Fig. 8)—Substitute 25 mm for 1"

32 mm for $1\frac{1}{4}$ "

12.5 mm for $\frac{1}{2}$ "

28 mm for $1\frac{1}{8}$ "

22 mm for $\frac{7}{8}$ "

170 mm for $6\frac{1}{4}$ "

(Sub-clause 23.6.1)

(a) Line 2—Substitute '0.5 mm' for '0.02 in.'

(b) Line 6—Substitute '20 mm' for 'three-quarters of an inch.'

(Sub-clause 23.6.2, line 6)—Substitute '20 mm' for 'three-quarters of an inch'.

(Sub-clause 23.6.4, line 2)—Substitute '125 mm' for '5 in. (or 12.7 cm)'.

(Clause 23.7, lines 4 and 5)—Substitute 'kg/cm²' for 'lb per sq. in. (or kg per sq cm)'.

(Clause 24.4, line 2)—Substitute 'kg' for 'lb (or kg)'.

(Clause 25.2, lines 4 and 5)—Substitute '0.07 kg/cm²' for '1 lb per sq in. (or 0.07 kg per sq cm)'.

(Clause 26.1)

(a) Lines 4 and 5—Substitute '0.15 kg/cm²' for '2 lb per sq in. (or 0.14 kg per sq cm)'.

(b) Line 7—Substitute '100 mm' for '4 in. (or 10 cm)'.

(1)	(2)	(3)	(4)	(5)
3	IS : 1479 (Part V)—1962 Method of Test for Dairy Industry.	S.O. 1421 dated 25 May 1963	No. 1 April 1964	The Existing First and Last-but-one sentences of Sub-clause 7.3.8 have been substituted by new ones.
4	IS : 1507—1959 Specification for Copper Oxide Water Dispersible Powder Concentrates.	S.O. 1346 dated 28 May 1960	No. 1 July 1964	(i) The Existing clause 5.1 has been substituted by a new one (ii) The Existing Sub-clause 5.2.1 has been substituted by a new one.
5	IS : 1694-1960 Specification for Tartrazine.	S.O. 570 dated 18 March 1961	No. 1 April 1964	(i) The Existing Sub-clause 3.1.3 has been substituted by a new one. (ii) The Existing clause 3.2 has been substituted by a new one (iii) [Sub-clause 5.2.1, item (h)]—Delete the item.
6	IS : 1981-1962 Specification for Animal Castings.	S.O. 1402 dated 12 May 1962	No. 2 April 1964	[Clause 3.9, item (c), of amendment No. 1, October 1963]—Substitute the following for the existing item: “(c) Hanks of Sheep or Goat Casings—A hank shall consist of not more than 18 pieces and shall measure not less than 92 metres in length.”

Copies of these amendment slips are available, free of cost, with the Indian Standards Institution, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-1, and also at its Branch Offices at (1) 232 Dr. Dadabhai Naoroji Road, Bombay-1, (2) Third Floor, 11 Sooterkin Street Calcutta-13, (3) Second Floor, Sathyamurthi Bhavan, 54 General Patters Road, Madras-2, and (4) 14/69 Civil Lines, Kanpur.

[No. MD/13:5.]

S. O. 1839.—In exercise of the powers conferred by sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961, 1962 and 1964, the Indian Standards Institution hereby notifies the issue of errata slips particulars of which are given in column (4) of the Schedule hereto annexed, in respect of the Indian Standards specified in column (2) of the said Schedule.

THE SCHEDULE

Sl. No.	No. and Title of Indian Standard	No. and date of Gazette Notification in which establishment of Indian Standard was notified.	Particulars of Errata Slip Issued
(1)	(2)	(3)	(4)
1	IS: 269-1958 Specification for Ordinary Rapid-Hardening and Low Heat Portland Cement (<i>Revised</i>)	S. O. 2206 dated 10 September 1960.	(i) Page 18, Fig. 1 Please read '0.40 mm(1/64")' for '0.040 mm(1/64")' (ii) Page 20, sub-clause B-2.4.3, line 1 Please read '10.4' for '10' (iii) Page 44, sub-clause G-5.1, line 3 Please read '100 × 20mm (or 4 × 3/4 in.)' for '38 × 20 mm (or 1 1/2 × 1 in.)'

1	2	3	4																																															
2	IS: 503-1963 Specification for Alloy Austenitic Manganese Steel Castings (<i>Revised</i>)	S. O. 415 dated 1 February 1964	Page 5, clause 5.1, third entry under 'Percent' in the informal table Please read '8.0' for '8.00'																																															
3	IS: 2063-1962 Code for Testing Machine Tools.	S. O. 3100 dated 13 October 1962	(i) The existing Fig. 75 on Page 37 has been substituted by a new one (ii) The existing Fig. 80 on Page 38 has been substituted by a new one.																																															
4	IS: 2306-1963 Dimensions for Gauge Limits for ISO Metric Screw Threads (1.6 to 39 mm)	S. O. 1683 dated 22 June 1963	Page 12, Table VIII, under 'FINE PITCHES'—Substitute the following for the existing values for 'Not Go' Plug Gauge : <table><tr><th rowspan="2">NOMINAL SIZES</th><th colspan="2">'NOT GO' PLUG GAUGE</th></tr><tr><th>Max.</th><th>Min.</th></tr><tr><td>M8 > 1</td><td>7.162</td><td>7.154</td></tr><tr><td>M10 < 1.25</td><td>8.955</td><td>8.947</td></tr><tr><td>M12 > 1.25</td><td>10.955</td><td>10.947</td></tr><tr><td>M14 > 1.5</td><td>12.719</td><td>12.711</td></tr><tr><td>M16 > 1.5</td><td>14.719</td><td>14.711</td></tr><tr><td>M18 > 1.5</td><td>16.719</td><td>16.711</td></tr><tr><td>M20 > 1.5</td><td>18.719</td><td>18.711</td></tr><tr><td>M22 > 1.5</td><td>20.719</td><td>20.711</td></tr><tr><td>M24 2</td><td>22.268</td><td>22.260</td></tr><tr><td>M27 > 2</td><td>25.268</td><td>25.260</td></tr><tr><td>M30 > 2</td><td>28.268</td><td>28.260</td></tr><tr><td>M33 2</td><td>31.268</td><td>31.260</td></tr><tr><td>M36 > 3</td><td>33.320</td><td>33.312</td></tr><tr><td>M39 > 3</td><td>33.322</td><td>36.312</td></tr></table>	NOMINAL SIZES	'NOT GO' PLUG GAUGE		Max.	Min.	M8 > 1	7.162	7.154	M10 < 1.25	8.955	8.947	M12 > 1.25	10.955	10.947	M14 > 1.5	12.719	12.711	M16 > 1.5	14.719	14.711	M18 > 1.5	16.719	16.711	M20 > 1.5	18.719	18.711	M22 > 1.5	20.719	20.711	M24 2	22.268	22.260	M27 > 2	25.268	25.260	M30 > 2	28.268	28.260	M33 2	31.268	31.260	M36 > 3	33.320	33.312	M39 > 3	33.322	36.312
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5	IS: 2427-1963 Grading of Continuous Filament Viscose Rayon yarn and Acetate Yarn Bright and Dull	S. O. 2877 dated 12 October 1963	Page 5, Table III, Grade 2, against the characteristic 'tex (or Denier)—8.4 tex (or 75 denier) and below' Please read '±6%' for '±4%'																																															
6	IS: 2499-1963 Specification for Butter Scotch—Hand	S. O. 3590 dated 28 December 1963	Page 3, clause 3.1.2, lines 3 to 6 Please read 'IS Designation NS3 of IS: 737-1955 Specification for Wrought Aluminium and Aluminium Alloys, Sheet and Strip (for General Engineering Purposes),' for 'IS Designation NS3 of IS: 737-1955 Specification for Wrought Aluminium and Aluminium Alloys, Bars, Rods and Sections (for General Engineering Purposes).'																																															
7	IS: 2557-1963 Specification for Annatto Colour for Food Products.	S. O. 950 dated 21 March 1964	Page 5, clause 3.2.1, line 15 from the top Please read 'Prevention of Food Adulteration Rules, 1955.....' for 'Prevention of Adulteration Rules, 1955.....'																																															

S.O. 1840.—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961, 1962, and 1964 the Indian Standards Institution hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed, have been established during the period 17 April 1964 to 18 May 1964.

THE SCHEDULE

Sl. No.	No. and Title of the Indian Standard Established	No. and Title of the Indian standard or Standards, if any, superseded by the new Indian Standard	Brief Particulars
(1)	(2)	(3)	(4)
1	IS: 440-1964 Methods of Chemical Analysis of Copper (<i>Revised</i>)	IS: 440-1955 Methods for Chemical Analysis of Copper	This standard prescribes the methods for determination of copper, arsenic, antimony, bismuth, iron, lead, nickel, selenium, tellurium, oxygen, tin and phosphorus in the ranges as specified in IS: 191-1958 Specification for Copper (<i>Revised</i>). (Price Rs. 5.50).
2	IS: 867-1963 Methods of Test for Phenolic Moulding Materials (<i>Revised</i>)	IS : 867 (Part I)—1956 Methods of Sampling and Test for Phenolic Moulding Materials, Part I (<i>Tentative</i>) and IS: 867 (Part II)—1959 Methods of Sampling and Test for Phenolic Moulding Materials, Part II	This standard prescribes the methods of sampling and test for phenolic moulding materials. The tests covered are for determining apparent density, density of moulding and bulk factor, time of flow, shrinkage of moulding, tensile strength, impact strength, cross-breaking strength, water absorption, acetone soluble matter before and after moulding, free phenols, free ammonia and ammonium compounds, temperature of deflection under load, plastic yield, electric strength, surface resistivity after immersion in water, volume resistivity and power factor and permittivity. (Price Rs. 6.00)
3	IS: 955-1964 Specification for Dry Powder Tender for Fire Brigade Use	—	This standard lays down the requirements regarding material, design and construction, workmanship and finish, accessories, and acceptance tests of dry powder tender for fire brigade use. (Price Rs. 2.50).
4	IS: 1103-1963 Specification for Brushes, Artists' (<i>Revised</i>)	IS : 1103-1957 Specification for Brushes, Artists	This standard prescribes the requirements and the methods of test for artists' brushes filled with sable or squirrel-tail hair and set in a suitable cement. (Price Rs. 2.50).
5	IS : 1300-1963 Specification for Phenolic Moulding Materials (<i>Revised</i>)	IS : 1300-1959 Specification for Phenol-Formaldehyde Moulding Powder (For General Purposes Mouldings).	This standard prescribes the requirements for phenolic moulding materials (Price Rs. 1.50).

(2

(3,

(4)

6	IS : 1395-1964 Specification for Molybdenum and Chromium Molybdenum Low Alloy Steel Electrodes for Metal-Arc Welding (<i>Revised</i>)	IS : 1395-1959 Specification for $\frac{1}{4}$ Percent Molybdenum Steel covered Electrodes for Metal Arc Welding.	This standard lays down the requirements for following four types of covered electrodes of 2 mm and thicker sizes for metal arc welding (by manual operation) of mild steel conforming to IS: 226-1962 Specification for Structural Steel (Standard Quality), or IS: 2062-1962 Specification for Structural Steel (Fusion Welding Quality), and of chromium molybdenum and molybdenum creep resisting steel of welding quality :										
			<table><tr><th>Type of Electrode</th><th>Description</th></tr><tr><td>A</td><td>0.5 percent Mo</td></tr><tr><td>B</td><td>1 percent Cr. 0.5 percent Mo</td></tr><tr><td>C</td><td>2.25 percent Cr. 1 percent Mo</td></tr><tr><td>D</td><td>4 to 6 percent Cr. 0.5 percent Mo</td></tr></table> (Price Rs. 4.50)	Type of Electrode	Description	A	0.5 percent Mo	B	1 percent Cr. 0.5 percent Mo	C	2.25 percent Cr. 1 percent Mo	D	4 to 6 percent Cr. 0.5 percent Mo
Type of Electrode	Description												
A	0.5 percent Mo												
B	1 percent Cr. 0.5 percent Mo												
C	2.25 percent Cr. 1 percent Mo												
D	4 to 6 percent Cr. 0.5 percent Mo												
7	IS : 1442-1964 Specification for Covered Electrodes for the Metal Arc Welding of High Tensile Structural Steel (<i>Revised</i>)	IS : 1442-1959 Specification for Covered Electrodes for the Metal Arc Welding of High Tensile Structural Steel	This standard lays down the requirements for covered electrodes of 2.5 mm and above for manual metal arc welding of high tensile steel of welding quality, conforming to IS: 961-1962 Specification for Structural Steel (High Tensile) (<i>Revised</i>). (Price Rs. 5.00).										
	IS : 2049-1963 Colour Code for the Identification of Wrought Steels for General Engineering Purposes.	—	This standard prescribes a scheme of colour coding based on the classification of steels given in IS : 1570-1961 Schedules for Wrought Steels for General Engineering Purposes. (Price Rs. 3.50).										
9	IS : 2386 (Part IV)—1963 Methods of Test for Aggregates for Concrete Part IV Mechanical Properties.	—	This standard (Part IV) covers the following tests for aggregates for concrete : (a) Determination of Aggregate Crushing Value, (b) Determination of the 10 percent Fines Value, (c) Determination of Aggregate Impact Value, (d) Determination of Aggregate Abrasion Value. (e) Determination of the Polished Stone Value, and (f) Determination of Crushing Strength. (Price Rs. 5.50).										
10	IS : 2533-1963 Specification for Geometry Boxes	—	This standard covers the requirements of school type geometry boxes of two grades, namely, Grade 1 and Grade 2. (Price Rs. 2.50).										

(1)	(2)	(3)	(4)
11	IS : 2538-1963 Test Chart for Bench Grinders	—	This standard prescribes the limits of accuracies for bench grinders. (Price Rs. 1.50).
12	IS : 2540-1963 Dimensions for Threaded Centre Holes	—	This standard prescribes the dimensions of threaded centre holes with 60° countersink. (Rs. 1.00)
13	IS : 2544-1963 Specification for Porcelain Posts Insulators (3.3 kV and above)	—	This standard covers the general requirements and the tests applicable to the indoor and outdoor porcelain post insulators and post insulator units suitable for nominal system voltages of 3.3 kV and above (Price Rs. 5.50).
14	IS : 2530-1963 Specification for Jute Bags for Packing Cement	—	This standard prescribes the constructional details and other particulars of double warp heavy Cee jute bags for packing cement of dimensions 710 × 480 mm (or 28 × 19 in.). (Price Rs. 3.00).
15	IS : 2592-1964 Specification for Lamps for Lighting on Board Ships.	—	This standard covers the technical requirements and methods of tests for tungsten filament incandescent lamps for general lighting purposes in ships having a nominal life of 1000 hours, rated wattage of 25 to 100 W, rated voltages of 110-120 V and 230 V; and internally frosted or, natural coloured bulbs: with standard bayonet or Edison screw caps as set out in 3. (Price Rs. 4.50).
16	IS : 2595-1963 Code of Practice for Radiographic Testing	—	This standard is intended to be a guide for carrying out radiographic testing satisfactorily. (Price Rs. 5.00).
17	IS : 2596-1964 Specification for Bulbs (Lamps) for Miners' Cap-Lamps.	—	This specification lays down the requirements and methods of test for electric bulbs (lamps) used in the miners' cap-lamps of rated voltage 4 V, and rated currents 0.67, 0.8 and 1.0 A. (Price Rs. 3.50).
18	IS : 2606-1964 Specification for Alloy Lead Anodes for Electroplating	—	This standard covers the requirements of alloy lead anodes used in chromium plating. (Price Rs. 1.50).
19	IS : 2610-1964 Dimensions for Straight Sided Splines for Machine Tools.	—	This standard specifies the dimensions and tolerances of 4 and 6 equi-spaced straight sided splines for machine tools for a shaft diameter range of 15 to 145 mm. (Price Rs. 2.00).
20	IS : 2613-1964 Specification for Cotton Drill (Non-Water proofed) for Umbrellas	—	This standard prescribes constructional details and other particulars of three varieties of cotton drill (non-waterproofed for Umbrellas. (Price Rs. 2.00)

(1)	(2)	(3)	(4)
21	IS : 2617-1964 Specification for Millboard, Greyboard and Strawboard	—	This standard prescribes the requirements for millboard, greyboard and strawboard. (Price Re. 1.00)
22	IS : 2619-1963 Specification for Glass Beakers	—	This standard prescribes the requirements and the methods of test for glass beakers suitable for scientific and laboratory use. (Price Rs. 2.50).
23	IS : 2620-1963 Specification for Distilling Flasks	—	This standard covers the requirements and the methods of test for a range of the distilling flasks suitable for standard tests for distillation range and for general use. (Price Rs. 2.00).
24	IS : 2621-1964 Specification for Brush, Commode Chutes	—	This standard prescribes the requirements and the methods of test for brush for commode Chutes (Price Rs. 2.00).
25	IS : 2622-1964 Specification for Brush, Banister (Hand Sweeping), Single.	—	The standard prescribes the requirements and the methods of test for brush, banister (hand sweeping), single. (Price Rs. 2.00).
26	IS : 2624-1964 Specification for Boards for Sley Races for Cotton Looms.	—	This specification prescribes the requirements of boards for sley races for cotton looms. (Price Re 1.00).
27	IS : 2625-1964 Specification for Blanks for Sley Bottoms for Cotton Looms	—	This specification prescribes the requirements of blanks for sley bottoms for cotton looms. (Price Re 1.00).
28	IS : 2626-1963 Specification for Petri Dishes	—	This standard prescribes the requirements and methods of test for glass petri dishes used in chemical and bacteriological work in scientific laboratories. (Price Rs. 2.00).
29	IS : 2628 (Part I)—1964 Specification for Rotary Wafer Switches (Low Current Rating) Part I Tests and General Requirements.	—	This standard (Part I) prescribes methods of tests and requirements for judging the mechanical, electrical and climatic properties of rotary wafer switches intended for use in electronic and telecommunication equipment and designed for rated currents of 5 A or less and for rated voltage of 1,000 V or less. (Price Rs. 4.50).
30	IS : 2638-1964 Specification for Flat Split Cotters	—	This standard deals with the requirements and the tests for flat split cotters. (Price Rs. 2.00)

Copies of these Indian Standards are available, for sale, with the Indian Standards Institution, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-1, and also at its branch offices at (i) 232 Dr. Dadabhai Naoroji Road, Bombay-1 (ii) Third Floor, 11 Sooterkin Street, Calcutta-13, (iii) 2nd Floor, Sathyamurthi Bhavan, 54 General Patters Road, Madras-2 and (iv) 14/69 Civil Lines, Kanpur.

New Delhi, the 19th May 1964

S.O. 1841.—In licence No. CM/L-207, dated 20th July, 1960, held by the Renown Biscuits Co., Bombay-27, the details of which are published under S.O. 2371, in the Gazette of India, Part II, Section 3(ii) dated 24 August, 1963, an additional variety, namely, 'Apex Cream' has been included.

[No. MD/12:417.]

New Delhi, the 20th May 1964

S.O. 1842.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961, 1962 and 1964, the Indian Standards Institution hereby notifies that the marking fee per unit for Electric Irons, details of which are given in the Schedule hereto annexed, has been determined and the fee shall come into force with effect from 16th June 1964.

THE SCHEDULE

Sl. No.	Product/Class of Products	No. and title of relevant Indian Standard	Unit	Marking Fees per Unit
(1)	(2)	(3)	(4)	(5)
1.	Electric Irons	IS: 366—1955 Specification for Electric Irons (<i>Tentative</i>)	One piece	5 nP.

[No. MD/18:2.]

S.O. 1843.—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955, as amended in 1962, the Indian Standards Institution hereby notifies that the Standard Mark, design of which together with the verbal description of the design and the title of the relevant Indian Standard is given in the Schedule hereto annexed, has been specified.

This Standard Mark, for the purpose of the Indian Standards Institution (Certification Marks) Act, 1962, as amended in 1961, and the rules and regulations framed thereunder, shall come into force with effect from 16th June 1964.

THE SCHEDULE

Sl. No.	Design of the Standard Mark	Product/Class of Products to which applicable	No. & Title of relevant Indian Standard	Verbal description of the design of the Standard Mark
(1)	(2)	(3)	(4)	(5)



IS: 366—1955 Specification for Electric Irons (*Tentative*)

IS: 366—1955 Specification for Electric Irons (*Tentative*)

The monogram of the Indian Standards Institution consisting of letters ISI, drawn in the exact style and relative proportions as indicated in (col. 2), the number designation of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.

[No. MD/17:2.]

D. V. KARMARKAR,
Ag. Jt., Director.

ERRATA

In the Ministry of Industry (Indian Standards Institution) Notification, published in the Gazette of India, Part II, Section 3, Sub-section (a), the following corrections may please be made:

- (a) S.O. 1101, dated 18 March, 1964, published in the Gazette dated 28 March, 1964:

Schedule, S. No. 3, Col. 4, Line 4 for 'IS: 871-1956' read 'IS: 877-1956.'

- (b) S.O. 1281, dated 3 April, 1964, published in the Gazette dated 11 April, 1964:

Schedule, S. No. 3, Col. 4, Line 3 for 'cati' read 'sheet.'

MINISTRY OF EDUCATION

New Delhi, the 18th May 1964

S.O. 1844.—In pursuance of sub-section (3) of section 31 of the Institutes of Technology Act, 1961 (59 of 1961), the Central Government hereby makes the following amendment to the notification of the Government of India in the (late) Ministry of Scientific Research and Cultural Affairs No. F.24-5/62-T.6, dated the 9th May, 1962, as amended by notification No. F.24-5/62-T.6, dated the 31st December, 1962, namely:—

In the said amended notification, for the existing para 2, the following shall be substituted, namely:—

- "2. Shri Bimen Sen, Deputy Educational Adviser (Tech.) in the Ministry of Education, shall act as the Secretary of the Council".

[No. F. 25-3/63-T.6.]

T. C. AJMANI,

Assistant Educational Adviser (Tech.).

New Delhi, the 18th May 1964

S.O. 1845.—The Rajya Sabha having elected Shri P. N. Kathju to be a member of the Council in pursuance of clause (k) of sub-section (2) of section 31 of the Institutes of Technology Act, 1961 (59 of 1961), the Central Government hereby makes the following amendment in the notification of the Government of India in the (late) Ministry of Scientific Research and Cultural Affairs No. F.24-5/62-T.6, dated the 9th May, 1962, as amended by notification No. F.24-5/62-T.6, dated the 18th July, 1962, namely:—

In the said notification under the heading "V. Representatives of the Parliament", in item (k), for the existing entry (iii), the following entry shall be substituted, namely:—

- "(iii) Shri P. N. Kathju, Member, Rajya Sabha, New Delhi."

[No. F.25-3/63-T.6.]

S.O. 1846.—The Central Government having nominated Shri G. K. Chandiramani to be a member of the Council in pursuance of clause (h) of sub-section (2) of section 31 of the Institutes of Technology Act, 1961 (59 of 1961), the following amendment is hereby made in the notification of the Government of India in the (late) Ministry of Scientific Research and Cultural Affairs No. F. 24-5/62-T.6, dated the 9th May, 1962, as amended by notification No. F. 25-3/63-T.6, dated the 24th August, 1963, namely:—

In the said notification of the 9th May, 1962, under the heading "II. Representatives of the Central Government", in item (h), for the existing entry (iii), the following shall be substituted namely:—

- "(iii) Shri G. K. Chandiramani, Joint Educational Adviser, Ministry of Education, New Delhi."

[No. F. 25-3/63-T.6.]

S.O. 1847.—The Institutes of Technology (Amendment) Act, 1963 (29 of 1963) having come into effect from the 13th September, 1963, the following amendment is hereby made in the notification of the Government of India in the (late) Ministry

of Scientific Research and Cultural Affairs No. F. 24-5/62-T.6, dated the 9th May, 1962, namely:—

In the said notification, under the heading "I. Ex-officio Members", in item (c), add the following entry, namely:—

"(v) the Director, Indian Institute of Technology, Delhi".

[No. F. 25-3/63-T.6.]

BIMEN SEN,

Dy. Educational Adviser (Tech.).

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 16th May 1964

S.O. 1848.—In pursuance of clause (c) of section 2 of the Industrial Employment (Standing Orders) Act, 1946 (20 of 1946), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 662, dated the 7th March, 1963, namely:—

In the Schedule annexed to the said notification, against item (2) for the entries in columns I and II, the following entries shall be substituted, namely:—

"(2) Conciliation Officer
(Central Headquarters),
Calcutta.

In respect of the industrial establishments in mines, oil-fields and major ports in the States of West Bengal, Assam, Nagaland and Orissa."

[No. F. 23/10/64-LRI.]

S.O. 1849.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the matter of certain applications under Section 33A of the said Act from Shri Yellaiah and 7 others of Tandur and Navandgi Stone Quarries (Private) Limited, Tandur, which was received by the Central Government on the 12th May 1964.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT BOMBAY

APPLICATION No. 1 OF 1962

Shri Yellaiah, s/o Ambarappa,
Wagon Loader, Tandur—*Applicant.*

Vs.

Tandur and Navandgi Stone Quarries (P) Ltd.,
Tandur—*Opposite Party.*

APPLICATION No. 2 OF 1962

Shri Gaddam Baliah, s/o Chandrappa,
Wagon Loader, Tandur—*Applicant.*

Vs.

Tandur and Navandgi Stone Quarries (P) Ltd.,
Tandur—*Opposite Party.*

APPLICATION No. 3 OF 1962

Shri Ramappa, s/o Gangayya,
Wagon Loader, Tandur—*Applicant.*

Vs.

Tandur and Navandgi Stone Quarries (P) Ltd.,
Tandur—*Opposite Party.*

APPLICATION No. 4 OF 1962

Shri Shamayya, s/o Sayappa,
Wagon Loader, Tandur—*Applicant.*

Vs.

Tandur and Navandgi Stone Quarries (P) Ltd.,
Tandur—*Opposite Party.*

APPLICATION No. 5 OF 1962

Smt. M. Mogulamma, d/o Laxmayya,
Polisher, Tandur—*Applicant*.

Vs.

Tandur and Navandgi Stone Quarries (P) Ltd.,
Tandur—*Opposite Party*.

APPLICATION No. 6 OF 1962

Shri Gaddam Husaini, s/o Chandrappa,
Polisher, Tandur—*Applicant*.

Vs.

Tandur and Navandgi Stone Quarries (P) Ltd.,
Tandur—*Opposite Party*.

APPLICATION No. 7 OF 1962

Smt. Gaddam Yellamma, w/o Chandrappa,
Polisher, Tandur—*Applicant*.

Vs.

Tandur and Navandgi Stone Quarries (P) Ltd.,
Tandur—*Opposite Party*.

APPLICATION No. 8 OF 1962

Shri M. Ramaiah, s/o Laxmappa,
Wagon Loader, Tandur—*Applicant*.

Vs.

Tandur and Navandgi Stone Quarries (P) Ltd.,
Tandur—*Opposite Party*.

All 8 applications arising out of Reference No. C.G.I.T. 31 of 1960.

*Re: Applications under Section 33A of the Industrial Disputes Act, 1947
(14 of 1947).*

PRESENT:

Shri Salim M. Merchant, Presiding Officer.

APPEARANCES:

For the Applicant: Shri Shetti Chandrasekhar, General Secretary, Tandur Stone Quarries Labour and Employees' Union.

For the Opposite Party: Counsel Shri S. D. Vimadlal, Bar-at-Law, with Shri Manik Arke, Assistant Secretary of the Opposite Party and Shri M. D. Kittur, Bombay Representative with Shri Keshav Rao S. Akolkar, Superintendent of the Tandur branch of the Opposite Party.

Dated at Bombay, the 11th day of May 1964

INDUSTRY: Stone Quarry and Mining.

STATE: Andhra Pradesh.

AWARD

These eight complaints dated 21st April 1962 purporting to be under section 33A of the Industrial Disputes Act, 1947 (14 of 1947) are directed against the stoppage from work of the Applicants by the management of the opposite party on various dates. The applications arise out of the industrial dispute Reference No. CGIT 31 of 1960 which was pending before this Tribunal, in which the applicants claimed to be workmen concerned.

At the adjourned hearing of these applications at Bombay on 11th May 1964, Sarvashri M. V. Kittur, Bombay representative of the Opposite Party, along with Shri Keshav Rao S. Akolkar, Superintendent of the Tandur branch of the opposite party, appeared before me and tendered a "Memo of Agreement", dated 9th May 1964 which was signed on behalf of the Tandur Stone Quarries Labour and Employees' Union, which represents the applicants, by its General Secretary,

Shri Shetti Chandrasekhar and on behalf of the opposite party by Shri Manik Arke, its Assistant Secretary. Shri Keshav Rao S. Akolkar, the Superintendent of the Tandur branch of the opposite party stated before me, and he has also made a written application to that effect, that the memo of agreement was signed by the said representatives of the parties in his presence at the Tandur branch of the opposite party, on 9th May 1964. A copy of the said Memorandum of Agreement, dated 9th May 1964, was thereupon, taken on file. The memo of agreement provides that all the applicant workers will be taken to work from 11th May 1964; that they will be allowed to work along with other fellow workers; that the applicants may form a separate gang along with other fellow workers if they so choose; that there will be no victimisation of the applicants by the management; that these eight applications have been settled between the parties on the terms stated above. The Memorandum of Agreement also refers to the management providing work for Sakal Mogappa and Shri Jivangi Mogalappa who are however not parties to these eight applications. As the terms of settlement as recorded in the Memorandum of Agreement, dated 9th May 1964 appear to me to be fair and reasonable and in the interest of industrial peace I accept the same and dispose of the applications as having been settled out of Court in terms recorded in the memo of agreement, dated 9th May 1964 copy of which is annexed hereto and marked as Annexure A and which shall form part of this Award, as far it covers the cases of the eight applicants herein.

I am disposing of these applications under a single award as all these eight applications were filed at the same time and have been settled under a common Memorandum of Agreement.

No order as to costs.

Sd./- SALIM M. MERCHANT,
Presiding Officer.

ANNEXURE "A"

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

APPLICATIONS NOS. 1 TO 8 (APPLN.) OF 1962

Arising out of Reference No. 31 of 1960.

PARTIES:

- (1) Shri Yelliah, s/o Ambarappa,
Wagon Loader, Tandur—*Applicant No. 1.*
 - (2) Shri Gaddam Baliah, s/o Chandrappa,
Wagon Loader, Tandur—*Applicant No. 2.*
 - (3) Shri Ramappa, s/o Gangayya,
Wagon Loader, Tandur—*Applicant No. 3.*
 - (4) Shri Shamayya, s/o Sayappa,
Wagon Loader, Tandur—*Applicant No. 4.*
 - (5) Smt. M. Mogulamma, d/o Laxmappa,
Polisher, Tandur—*Applicant No. 5.*
 - (6) Shri Gaddam Hussaini, s/o Chandrappa,
Polisher, Tandur—*Applicant No. 6.*
 - (7) Smt. Gaddam Yellamma, w/o Chandrappa,
Polisher, Tandur—*Applicant No. 7.*
 - (8) Shri M. Ramaiah, s/o Laxmappa,
Wagon Loader, Tandur—*Applicant No. 8.*
- Represented through The Tandur Stone Quarries Labour & Employees' Union, Tandur

Versus

The Tandur & Navandgi Stone Quarries P. Ltd., Tandur—*The Opposite Party.*

MEMO OF AGREEMENT

The Applicants above named represented through The Tandur Stone Quarries Labour & Employees' Union, Tandur, and the Opposite Party, The Tandur &

Navandgi Stone Quarries (P) Ltd., have agreed to the following terms to settle all the above applications:—

Terms of Agreement

1. That all the applicant workers will be taken to work from 11th May 1964.
2. That these applicant workers will be allowed to work along with other fellow workers. They may form a separate gang along with other fellow workers if they so choose.
3. That it is also agreed to by the Management that it will provide work to Sri Sakali Nagappa and Jivangi Mogalappa, who are not parties to the above applications.
4. That there will be no victimization of the above applicant workers by the Management.
5. That as the result of the above agreement, the above mentioned applications are settled herewith.

Sd./-

for The Tandur Stone
Quarries Labour & Employees' Union,
General Secretary.

for The Tandur & Navandgi
Stone Quarries Private Limited,
Assistant Secretary.

TANDUR;

Dated 9th May 1964.

[No. 22/10/60-LR.II.]

New Delhi, the 18th May 1964

S.O. 1850.—In pursuance of sub-section (1) of section 4 of the Essential Services (Maintenance) Ordinance, 1941 (11 of 1941), the Central Government hereby authorises the Chairman of the Commissioners for the Port of Calcutta as the officer who may exercise the powers conferred by the said sub-section in relation to persons engaged in employment in the Calcutta Pilot service under the Commissioners aforesaid which has been declared by the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 1580 dated the 2nd May, 1964 to be employment to which the said Ordinance applies.

[No. F.63/1/64-LRI.]

New Delhi, the 19th May 1964

S.O. 1851.—In exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby rescinds the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 1216, dated the 4th April, 1964, declaring the industry engaged in the transport for the carriage or handling of foodgrains at the docks and at the godowns within the Port of Bombay as public utility service.

[No. F.1/19/64-LRI.]

New Delhi, the 22nd May 1964

S.O. 1852.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Digwadih Colliery of Messrs. Tata Iron and Steel Company Limited, Jamadoba, Post Office Jealgora, District Dhanbad, and their workmen, which was received by the Central Government on the 18th May 1964.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
DHANBAD**

In the matter of Reference under Section 10(1)(d) of the Industrial Disputes Act, 1947.

REFERENCE No. 43 OF 1963

PARTIES:

Employers in relation to the Digwadih Colliery of Messrs Tata Iron and Steel Company Ltd., Jamadoba.

AND

Their workmen.

PRESENT:

Shri Raj Kishore Prasad, M.A., B.L., Presiding Officer.

APPEARANCES:

For the Employers: Shri S. N. Singh, Legal Assistant.

For the Workman: Shri Ram Mitra, Secretary, Bihar Koyla Mazdoor Sabha, P.O. Bhowra.

STATE: Bihar.

INDUSTRY: Coal.

Camp: Calcutta, dated the 17th April, 1964

AWARD

Ministry of Labour and Employment, Government of India, by its Order No. 2/18/63-LRII, dated the 6th June, 1963, referred to this Tribunal for adjudication, under Section 10(1)(d) of the Industrial Disputes Act, 1947, an industrial dispute existing between the employers in relation to Digwadih Colliery of Messrs. Tata Iron and Steel Co. Ltd. and their workmen in respect of the matter specified below:

“Whether the management of the Digwadih Colliery of Messrs. Tata Iron and Steel Company Limited, Jamadoba, Post Office Jealgora (District Dhanbad), were justified in terminating the lien of Shri Ganesh Mahato, Miner, on his appointment? If not, to what relief is he entitled?”

2. The concerned workman through its Union, Bihar Koyla Mazdoor Sabha, filed his written statement on 26th June 1963. His case was that he received a telegram from his home on 7th December 1962 intimating the aggravation of the condition of his long ailing wife, and so he applied for leave for 21 days with effect from 10th December 1962; that the management granted leave only for 7 days, and the due date for resumption of duty was 17th December 1962; that he sent a petition for extension of leave on 17th December 1962 upto 27th December 1962 but he did not receive any reply while he was at his home; that he returned and reported for duty on 28th December 1962 when he was not allowed to join his duty and next day he was informed that he was placed on *Badli* lits, which amounted to termination of his lien; that no charge sheet was issued against him nor he was asked to explain the alleged circumstances against him and no enquiry was held and therefore the action of the management in terminating his lien was illegal and unjustified.

3. The management also filed its written statement on 9th July 1963. It may be mentioned at this very stage that the objection raised in the written statement that the present dispute was an individual dispute and not an industrial dispute, was not pressed at the hearing. The case of the management was that the workman concerned, Ganesh Mahato, received a telegram on 7th December 1962, Ext. M to the effect that “wife hopeless come”; that on the same date on 7th December 1962, the concerned workman made an application for leave, Ext. M.1 for 21 days from 10th December 1962 but only 7 days’ leave was granted by the manager; that the contents of the above telegram, which was a plea for leave although no

leave was due, appeared to be suspicious but in spite of that leave was granted but the workman concerned waited for 3 days before availing of the leave; that although the leave expired on 16th December 1962 the workman did not report for duty but sent an application on 17th December 1962 which was received on 19th December 1962 Ext. M.2 for extension of leave till 27th December 1962; that the said application for extension of leave was not accompanied by any medical certificate which created suspicion in the case for the extension of leave asked for and, therefore, the Manager by letter dated 26th/29th December 1962 Ext. M.4 informed the workman concerned about refusal of extension of leave; that the workman did not return within eight days after the expiry of the leave originally sanctioned which expired on 16th December 1962 nor did he come with medical certificate to the satisfaction of the manager of his inability to return before the expiry of the leave, and, therefore, he automatically lost lien on his appointment and was kept on *Badli* list as per condition of his service mentioned in Standing Orders, Ext. M-6; that on 13/18th April 1963 the workman concerned was informed, after his name had been put on *Badli* list, to report to the management in K Section but he never reported; that, therefore, the lien of the workman concerned was terminated legally and as such the present workman is not entitled to any relief.

4. Sri S. N. Singh appeared for the management and Sri Ram Mitra appeared for the workman concerned. Both the parties filed documents, on waiving formal proof and with their consent were taken in evidence and marked Exhibits M to M.3 on behalf of the management and Exhibits W to W.3 on behalf of the workman. The management did not examine any witness, but the workman examined himself as W.W.1.

5. The only question for determination is whether the lien of the workman concerned was properly terminated. In this connection Standing Order No. 9 of the Standing Orders of the Company Ext. M.6 is important. Standing Order No. 9 in clear terms provides that if an employee remains absent beyond the period of leave originally granted or subsequently extended he shall lose his lien on his appointment unless (i) he returns within 8 days of the expiry of the leave, except those who have enjoyed the privilege of 30 days so far, and (ii) gives an explanation to the satisfaction of the manager of his inability to return before the expiry of leave. In case the employee loses his lien on the appointment he shall be entitled to be kept on the *Badli* list. On Standing Order No. 9, therefore, there is no doubt that the termination of the lien of the workman concerned was perfectly justified. It was, however, contended on behalf of the Union that admittedly the wife of the workman concerned was suffering from T.B. and ultimately she died and that the workman filed a petition on 31st December 1962 Ext. W.1 showing sufficient cause for his inability and, therefore, his lien should not have been terminated.

6. It may be noted that although the workman says that he reported on 28th December 1962, as mentioned in Ext. W.1, but he made this application Ext. W.1 to the Manager 3 days later on 31st December 1962. This explanation Ext. W.1 cannot be considered to be an explanation as contemplated by Standing Order 9(ii) because Standing Order No. 9 provides that the employee should return within 8 days of the expiry of the leave, except in the case of privilege leave, and, then file an explanation to the satisfaction of the Manager. Admittedly in the present case the workman did not return within 8 days of the expiry of the leave, but what he did was that he made an application on 17th December 1962 Ext. M.2 for extension of leave just on the date it was to expire. This extension of leave should have been made earlier but he did not do it. For these reasons, I am of the opinion that the management was justified in terminating his lien. In such a case Standing Order Ext. M.6 do not contemplate for issue of any charge-sheet or of any domestic enquiry into it.

7. I would, therefore, answer the reference in favour of the management and against the concerned workman by holding that the management of the Digwadih Colliery of Tata Iron and Steel Co. Ltd. were justified in terminating the lien of the concerned workman, Ganesh Mahato, on his appointment and as such he was not entitled to any relief.

8. This is the award which I make and submit under Section 15 of the Act to Government of India.

Camp: Calcutta,
The 17th April, 1964.

(Sd.) RAJ KISHORE PRASAD,
Presiding Officer,
Central Government Industrial Tribunal, Dhanbad
[No. 2/18/63-LR.II.]

ORDERS

New Delhi, the 16th May, 1964

S.O. 1853.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bhulanbararee Colliery of Messrs Bhulanbararee Coal Company Limited, Patherdih, District Dhanbad, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

(1) Whether the stoppage from work of Shri Kumar Shaw, Prop Cooly, Bhulanbararee Colliery by the management of Messrs Bhulanbararee Coal Company Limited, with effect from the 19th January, 1964 was justified?

(2) If not, to what relief is the workman entitled?

[No. 2/39/64-LR.II-II.]

S.O. 1854.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to Bhulanbararee Colliery of Messrs Bhulanbararee Coal Company Limited, Patherdih, District Dhanbad, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

(1) Whether the dismissal of the following two workmen of No. 2 Pit of Bhulanbararee Colliery of Messrs Bhulanbararee Coal Company Limited, with effect from the respective dates noted against them, by the management was justified?

S. No	Name and designation of the workman.	Date of dismissal
1.	Raja Rame Singh, Loader.	21st October 1963.
2.	Rootu Rewani, Tagger Haulage Khalasi.	24th October 1963

(2) If not, to what relief are the workmen entitled?

[No. 2/39/64-LR.II-I.]

S.O. 1855.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Newton Chickli Colliery of Messrs Newton Chickli Collieries Private Limited, Post Office Parasla (District Chhindwara, Madhya Pradesh) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE

(1) Whether the management of Newton Chickli Colliery of Messrs Newton Chickli Collieries Private Limited, Parasia were justified in dismissing from service the following workmen, namely:—

1. Shri Kankaiya son of Ramiya.
2. Shri Maroti son of Ganpat Kumbi.
3. Shri Pratap Singh son of Sadhoo Singh.

(2) If not, to what relief are they entitled?

[No. 5/5/64-L.R.II.]

S.O. 1836.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Singareni Collieries Company Limited, Kothagudium and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Dr. Mir Siadat Ali Khan as the Presiding Officer with headquarters at Samajiguda, Hyderabad, and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

(1) Whether Shri Abdul Azeem, Charge-hand, Yellandu Collieries, Singareni Collieries Company Limited, is entitled to the grade of Rs. 115—10—185 in view of the nature of the duties performed by him?

(2) If so, from what date?

[No. 7/4/64-LR.II.]

New Delhi, the 19th May 1964

S.O. 1837.—Whereas an industrial dispute exists between the employers in relation to the management of Baulia Lime Stone Quarries of Messrs Sone Valley Portland Cement Company Limited and their workmen represented by Baulia Quarries Mazdoor Sangh, in respect of the matters set forth in the application reproduced in the Schedule hereto annexed;

And, Whereas, the parties to the said dispute have jointly applied to the Central Government for reference of the said dispute to a tribunal,

And, Whereas, the Central Government is satisfied that the persons applying for reference of the said dispute to a tribunal represent the majority of each party to the said dispute;

Now, Therefore, in exercise of the powers conferred by section 7A and sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri Hemanta Kumar Chaudhry, M.A., B.L., Retired Judge of the High Court of Judicature at Patna, shall be the Presiding Officer, with headquarters at Patna and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

FORM A

Form of application for the reference of an industrial dispute to a Tribunal under section 10(2) of the Industrial Disputes Act, 1947.

Whereas an industrial dispute exists between the management of Baulia Lime-stone Quarries of M/s. Sone Valley Portland Cement Co. Ltd. and their workmen represented by Baulia Quarries Mazdoor Sangh and it is expedient that the matters specified in the enclosed statement which are connected with or relevant to the dispute should be referred for adjudication by a Tribunal, an application is hereby made under section 10(2) of the Industrial Disputes Act, 1947 that the said matters should be referred to a Tribunal.

This application is made by the undersigned who have been duly authorised to do so by virtue of an agreement entered into by the parties on 28th April 1964 (copy enclosed).

A statement giving the particulars required under Rule 3 of the Industrial Disputes (Central) Rules, 1957 is attached.

The parties further agree that this matter be referred for adjudication by the Industrial, Bihar, Patna constituted by Shri H. K. Chowdhury.

Sd/-

(S. P. KASHYAP.)

Signature of the Works Manager.

Baulia Limestone Quarries of M/s Sone
Valley Portland Cement Co. Ltd.

Sd/-

(BASAWAN SINHA.)

Signature of the President
Baulia Quarries
Mazdoor Sangh.

Sd/-

(I. B. ROY.)

Sd/-

(BALDEO AZAD.)

Baulia Quarries Mazdoor Sangh.

To

The Secretary to the Government of India,
Ministry of Labour and Employment,
New Delhi.

Statement required under rule 3 of the Industrial Disputes (Central) Rules, 1957, to accompany the form of application prescribed under sub-section (2) of Section 10 of the Industrial Disputes Act, 1947:—

- (a) Parties to the dispute including the name and address of the establishment or undertaking involved:—

Establishment—

Baulia Limestone Quarries of M/s. Sone Valley
Portland Cement Co. Ltd., P. O. Baulia, Distt. Shahabad.

Parties:—

Works Manager, Sone Valley Portland Cement
Company Ltd., Limestone Quarries at Baulia,
P.O. Baulia, Distt. Shahabad.

and

General Secretary, Baulia Quarries Mazdoor
Sangh, P.O. Baulia, Distt. Shahabad.

- (b) Specific matters in dispute—whether the workmen are entitled to any bonus for the years 1959, 1960, 1961, 1962 and 1963. If they are entitled, what should be the quantum of bonus.
- (c) Total number of workmen employed in the undertaking affected by the dispute. 529 departmental employees and 1000 commission agents employees.
- (d) Estimated number of workmen affected or likely to be affected by the dispute as in (c).
- (e) Efforts made by the parties themselves to adjust the dispute:—Mutual negotiation and conciliation

Copy to:—

- (i) The Conciliation Officer (Central), Hazaribagh.
(ii) The Labour Officer and Conciliation Officer, Government of Bihar, Dalmianagar.

(iii) The Regional Labour Commissioner (Central), Dhanbad.

(iv) The Chief Labour Commissioner (Central), New Delhi.

Extract from the Memorandum of Settlement of the dispute between the Management of Baulia Limestone Quarries of Sone Valley Portland Cement Co. Ltd., and their workmen represented by Baulia Quarries Mazdoor Sangh over charter of demands arrived at in the presence of the Regional Labour Commissioner (Central), Dhanbad under Sec. 12(3) of I.D. Act 1947 on 28th April, 1964.

Demand No. 1: All workers should be allowed payment of bonus at the rates of four months consolidated wages for the each year of 1959-60, 1960-61, 1961-62, 1962-63 and 1963-64.

Settlement: It is agreed that this matter be referred for adjudication by the Government of India to the same Tribunal before whom the bonus matter of the Works at Japla is pending.

[No. 22/18/64-LR.II.]

New Delhi, the 21st May 1964

S.O. 1858.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Umaria Colliery, Post Office Umaria, District Shahdol and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of the Umaria Colliery was justified in dismissing Shri Chhota S/o Fattu, Miner, Token No. 663, from service; and if not, to what relief is he entitled?

[No. 5/47/63-LR.II.]

New Delhi, the 22nd May 1964

S.O. 1859.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Mondal's Bilbera Colliery, Post Office Katrasgarh, District Dhanbad, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of the Mondal's Bilbera Colliery in terminating the services of the following 43 workmen with effect from the 30th January, 1964 was justified; if not, to what relief are the workmen entitled?

- (1) Ramgolam Pashi, Miner.
- (2) Natha Rajwar, Miner.
- (3) Balkishan Rajwar, Miner.
- (4) Ramjan Mia, Miner.
- (5) Shiomurat Gope, Miner.
- (6) Dujay Pashi, Miner.
- (7) Gati Dusadh, Miner.
- (8) Gariba Pashi, Miner.
- (9) Bhalu Pashi, Miner.
- (10) Kallu Pashi, Miner.
- (11) Sukdin Lodh, Miner.
- (12) Ramsajibhan Pashi, Miner.
- (13) Sangtha Pashi, Miner.

- (14) Chotelal Pashi, Miner.
- (15) Ratal Pashi, Miner.
- (16) Ramcharan Kewat, Miner
- (17) Rambrich Thakur, Miner.
- (18) Srinath Pashi, Miner.
- (19) Parsi Pashi, Miner
- (20) Mahadeb Singh, Miner.
- (21) Suklal Pashi, Miner
- (22) Kallu Chamar, Miner
- (23) Sital Pashi, Miner
- (24) Shiodas Pashi, Miner
- (25) Ramsankar Pashi, Miner.
- (26) Badan Pashi, Miner
- (27) Algu Chamar, Miner
- (28) Ramprasad Rabidas, Miner
- (29) Sumer Rabidas, Miner.
- (30) Hanu Ahir, Miner
- (31) Biswanath Rabidas, Miner
- (32) Ram Manohar Koiri, Miner
- (33) Dujay Rabidas, Miner
- (34) Gobardhan Singh, Miner.
- (35) Onkar Ahir, Miner
- (36) Amzad Mia, Miner
- (37) Rameswar Bhuia, Miner
- (38) Tetor Bhuia, Miner
- (39) Ramcharan Bhuia, Miner
- (40) Surja Pashi, Miner
- (41) Manickchand Dusadh, Miner
- (42) Ramdeo Mahato, Miner
- (43) Biroo Kumar, Prop Mazdoor

[No 2/46/64-LRII]

S.O. 1860.—Whereas, the award of Shri P D Vyas, Presiding Officer, Central Government Industrial Tribunal Nagpur, at Bombay, in the industrial dispute between the employers in relation to Messrs Kishan Chand and Company, Post Office Ramakone, District Chhindwara, and their workmen employed in Kachidana Manganesse Mines No 4 was published with the notification of the Government of India in the Ministry of Labour and Employment No SO 1985, dated the 22nd September, 1958, in sub-section (ii) of section 3 of Part II of the Gazette of India, dated the 27th September, 1958;

And whereas, the said employers filed a petition dated the 23rd December, 1958, before the said tribunal for setting aside the award and the petition has not been disposed of,

And whereas, the services of Shri P D Vyas have ceased to be available,

And whereas, the High Court of Judicature at Jabalpur in their Order, dated the 10th December, 1963, in Criminal Revision No 303 of 1963, while staying the proceedings in case No 87 of 1962 pending in the Court of the Magistrate, First Class, Chhindwara (Criminal) under section 29 of the Industrial Disputes Act, 1947 (14 of 1947), indicated the advisability of appointing an authority to dispose of the said petition, dated the 23rd December, 1958 for setting aside the award,

Now therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), and of all other powers enabling it in this behalf, the Central Government hereby appoints the Industrial Tribunal (Central Government) at Bombay, constituted under section 7A of the Industrial Disputes Act, 1947 (14 of 1947), as the authority to dispose of the said petition.

[No 21/4/63-LR II]

S.O. 1861.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Sijua Colliery of Messrs. Tata Iron and Steel Company Limited, Jamadoba, Post Office Jealgora, District Dhanbad, and their workmen in respect of the matters specified in the Schedule hereto annexed,

And, Whereas, the Central Government considers it desirable to refer the said dispute for adjudication,

Now, Therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the

Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of the Sijua Colliery of Messrs. Tata Iron and Steel Company Limited, Post Office Jealgora, District Dhanbad was justified in dismissing Shri Mohammad Khan, watchman, from service with effect from the 7th December, 1963? If not, to what relief is the workman entitled?

[No. 2/41/64-LR.II.]

S.O. 1862.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Eastern Manganese and Minerals (Private) Limited, Domchanch and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, Whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, Therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the transfer order dated 31st December 1963 in respect of Shri Durga Singh, Pump Khalasi transferring him from Bichhua Mica Mine to Dhorakola Division of Messrs Eastern Manganese and Minerals (Private) Limited, Domchanch was justified? If not, to what relief is the workman entitled.

[No. 20/4/64-LR.II.]

CORRIGENDA

New Delhi, the 20th May 1964

S.O. 1863.—In the Order of the Government of India in the Ministry of Labour and Employment No. S.O. 3578, dated the 18th December, 1963, published on page 4339 in the Gazette of India, Part II, Section 3, Sub-Section (ii), dated the 28th December, 1963, in the Schedule, in line one, for "18th August, 1963", read "28th August, 1963".

[No. 2/75/63-LR.II.]

New Delhi, the 22nd May 1964

S.O. 1864.—In the Order of the Government of India in the Ministry of Labour and Employment No. S.O. 1076, dated the 21st March, 1964, published on page 1294 in the Gazette of India, Part II, Section 3, sub-section (ii), dated the 28th March 1964, in line 4 of the Schedule, for 'If so', read 'If not'.

[No. 2/29/64-LR.II.]

A. L. HANDA, Under Secy.

New Delhi, the 16th May 1964

S.O. 1865.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bangalore, in the industrial dispute between the employers in relation to the Canara Banking Corporation Limited and their workmen which was received by the Central Government on the 12th May, 1964.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BANGALORE

(In the matter of an Industrial Dispute existing between the workmen and the Management of Canara Banking Corporation Limited, Mangalore, under Section 10 (1) (d) of the Industrial Disputes Act, 1947).

INDUSTRIAL DISPUTE No. 1 of 1964

PARTIES:

Workmen represented by the President and General Secretary, Bank Employees Association South Kanara, Coast Road, Coondapoor (South Kanara).

Vs.

The Management of the Canara Banking Corporation Limited., Administrative Office, Mangalore—1, represented by its General Manager.

PRESENT:

Sri K. Gubbiah, B.A., LL.B.,—*Presiding Officer.*

APPEARANCES:

For the Workman—Sri K. Rathnakar, Sri A. L. Hebbar, President and General Secretary, Bank Employees Association, South Kanara, Coast Road, Coondapoor.

For the Management—Sri B. K. Pai, Establishment Superintendent and Sri Karnad Shashidhar Rao, Vice-President of the General Managers' Association, Mangalore.

STATE: Mysore.

INDUSTRY: Bank.

Bangalore, Dated 30th April, 1964.

AWARD

(1) This Industrial Dispute between the workman Sri K. Rathnakar and the General Manager, Canara Banking Corporation Limited, Mangalore, was referred to this Central Government Industrial Tribunal, Bangalore, by the Ministry of Labour and Employment, Government of India in their Order No. 51(83)/63-LRIV, dated 7th January, 1964, under Section 10(1) (d) of the Industrial Disputes Act, 1947, for adjudication, the point of dispute being:

“Whether the transfer of Shri K. Rathnakar, Additional Accountant, from Coondapoor Branch to Haveri Branch of the Canara Banking Corporation Limited was justified? If not, to what relief is the workman entitled?”.

(2) This dispute has been registered as Industrial Dispute No. 1 of 1964. On 30th January, 1964, the Claim statement of the First Party was received by post. The Counter Statement of the second party was filed on 28th February, 1964. On 2nd March, 1964, I framed the following issues:—

Issues

1. Is the transfer of Shri K. Rathnakar from Coondapoor to Haveri Branch *malafide*, motivated to curb down his Trade Union activities and to stifle the organisation of employees of the second party Bank and does the said transfer contravene the provisions of paragraph 535 of the Sastry Award and violate circular (Annexure No. 3) of the Second party?

Or

Is the transfer of Sri Rathnakar, effected in the ordinary course of business?

2. Does the transfer of Sri K. Rathnakar, after the disposal of the dispute, violate the provisions of Section 33 (1) (a) of the Industrial Disputes Act, 1947?

3. Is Sri K. Rathnakar, an officer of the Bank? And if so, does he not come under the category of workman? Cannot an Industrial Dispute be raised in the matter of transfer of a non-workman?

4. To what relief or reliefs are the parties entitled?

(3) On 18th March, 1964, Sri B. V. Pai, M.A., LL.B., for the second party submitted that he does not press issue No. 3 and the same was accordingly deleted. On the same day the following additional issue was framed with the consent of both the parties:—

“Whether the dispute raised by the First party is not an Industrial Dispute?”

On 19th March, 1964, Sri B. V. Pai, submitted that he does not press the additional issue framed on 18th March, 1964, and hence that additional issue was also deleted. Four witnesses are examined for the first party and they are W.W. 1. Sri K. Rathnakar, WW2. Sri Laxman Nayak, W.W. 3 Sri Ramdas Nayak and W.W. 4 Sri B. V. Pai. No witnesses are examined for the second party. The parties closed their case on 4th April, 1964. Arguments were heard on 5th April, 1964, and 25th April, 1964.

(4) The case for the first party as disclosed in the statement of claims is in brief as follows:—

(a) Sri K. Rathnakar, aged about 34 years, joined service in the Canara Banking Corporation, as a clerk, in the year 1949. He was confirmed in that post on 1st April, 1950. He worked as a clerk in Udipi continuously for about 8 years. On 21st August, 1958, he was transferred to Nelloor as an acting accountant. Between 21st August, 1958, and 7th October, 1963, he was subjected to as many as 11 transfers in quick succession. Some of those transfers were either inter state or before the expiry of stay of one year in each branch, thus violating the provisions of Paragraph 536 or 535 of the Sastri Award. Two of his transfers were at his request for which no T.A. and D.A. were given. Ever since he joined service in the second party bank, he has been an active trade union worker. The second party has always been after him and its repeated attempts to get him dismissed from the Bank service were foiled by the first party Association. Having so failed, the Bank has resorted to harass him by giving him frequent transfers from branch to branch. A few of his juniors in service were confirmed as clerks and later appointed as accountants much earlier than he was confirmed as a clerk and appointed as an accountant, ignoring his seniority. All this was done by the bank with a view to curb down his trade union activities and to stifle the organization of employees of the second party in its formative stage.

(b) On 9th June, 1963, he was elected as a Joint Secretary at the annual conference of the association to function as office Secretary at its Head Office at Coondapoor. As the Office Secretary of the association he has been authorised to sign all papers and documents connected with the trade union and manage its affairs. He occupies an important place next only to that of the President. He has to run the administration of the first party association during the absence of the President and also to represent him before the Industrial Tribunals and Courts. On 7th October, 1963, he was transferred from Coondapoor Branch to Haveri Branch as an Additional Accountant without any necessity and justification for an additional accountant, in spite of the fact that he was there for a short period of 1½ Years. This action of the Bank goes against its own circular which envisages transfer of its agents and accountants once in three years. Further, when there is already another accountant who has been there longer, the principle "*first come and first go*" should have been adopted by the Bank. The Bank has deliberately picked up Rathnakar, an important office bearer of the First party Association, to victimize him for his trade union activities. The Bank has also circumvented the provisions of paragraph 535 of the Sastri Award. What is more, the transfer of Sri Rathnakar during the pendency of the dispute before the appropriate authorities is a violation of the provisions of Section 33 (1) (a) of the Industrial Disputes Act, 1947.

(c) Wherefore, the first party prays for setting aside the transfer of Sri Rathnakar from Coondapoor to Haveri.

(5) (a) The Second party in their counter statement states as follows:—

"Sri Rathnakar is an officer of the Bank and not a workman and hence an Industrial Dispute cannot be raised in the matter of transfer of a non-workman. It is not true that the 11 transfers of Sri Rathnakar were prompted on account of his trade union activities. He was elected as a Joint Secretary of the Trade Union for the first time on 9th June, 1963, and he could not have been connected with the trade union before, as he was working at various distant places. All the transfers enumerated in the statement of the first party were effected in the ordinary course of business due to exigencies of service or at the request of Sri K. Rathnakar and never to victimize him for his trade union activities. Sri Rathnakar has not objected to even a single transfer except the impugned transfer from Coondapoor to Haveri Branch. Nor are those transfers *malafide* or contrary to paragraph 536 of the Sastri Award.

(b) There was a steep fall in loans on jewellery at Coondapoor Branch soon after the Gold Control Order came into force and this was one of the main types of advances in Coondapoor Branch Bank. Consequently there was no necessity

for two accountants at Coondapoor branch. At the same time the work at Haveri Branch had increased considerably and the Haveri Branch had been requesting the services of an additional accountant. It was to meet this exigency, that Sri Rathnakar was transferred to Haveri Branch and not to stifle the Trade Union activities carried on by him. The provisions of para 535 of the Sastri Award and circular No. 49 of 62 of the Canara Banking Corporation have been fully complied with.

(c) The Second party effected the transfer of Sri K. Rathnakar from Coondapoor Branch to Haveri Branch only after the dispute was disposed of by the Conciliation Officer and therefore there has been no violation of Section 33 (1) (a) of the Industrial Disputes Act. The Second party prays for the rejection of the reference with costs.

(6) The first issue for consideration is issue No. 1 and it reads as follows:

"Is the transfer of Sri K. Rathnakar from Coondapoor to Haveri Branch *malafide*, motivated to curb down his trade union activities and to stifle the organization of employees of the second party bank and does the said transfer contravene the provisions of paragraph 535 of the Sastry Award and violate circular (Annexure No. 3) of the Second party?

Is the transfer of Sri Rathnakar effected in the ordinary course of business?

The first point for consideration is whether the transfer of Sri Rathnakar from Coondapoor Branch to Haveri Branch is *malafide* and motivated to curb down his trade union activities and to stifle the organization of employees of the second party bank. Sri Rathnakar merely attributes *malafides* and victimizations on the part of the Bank in transferring him from Coondapoor to Haveri Branch. Neither in his statement of claims nor in his evidence as W.W. 1 does he disclose any reasons for justifying his transfer as *malafide*. There is no evidence in proof of the allegation that the relations between Sri Rathnakar and the Bank were not happy or cordial. On the other hand there is ample evidence in the case to show that ever since he joined service in the bank, the General Manager and the Superintendent of the Bank have displayed extraordinary patience and forbearance in winking at his acts of gross insubordination, indiscipline and misconduct. The allegation that the relation between him and the bank were not happy or cordial and that the worker concerned was an important office bearer of first party association would by itself be no evidence to prove *malafides* or victimization. This view of mine is based on the observations made by the Supreme Court of India in a decision reported in 1963 I LLJ page 491. I am therefore of opinion that the allegation of *malafides* and victimization in this case is based on mere conjectures and surmises. In this connection it is necessary and useful to bear in mind the observations of their Lordships of the Supreme Court of India in Ananda Bazar Patrika (Private) Ltd., and their employees reported in 1963 II LLJ page 430 which reads as follows:—

"Though industrial adjudication can and must protect industrial employees from victimization, a finding as to *malafides* or victimization, should be drawn only where the evidence has been led to justify it; such a finding should not be made either in a casual manner or lightly heartedly."

Similar view is taken by the Central Government Industrial Tribunal, Bombay in a dispute between the Bank of Mysore Ltd. Bombay, and their workmen reported in 1960, I LLJ on page 107 and the following observations of the Tribunal are worth remembering:

"In dealing with industrial dispute relating to justification or otherwise of transfer of a workman the tribunal has to satisfy that the management has not acted *malafide* and that there has not been a violation of the principles of natural justice in or about the transfer. It is the function of the employer to decide whether the exigencies of service demand the transfer of an employee from one branch to another or to the head office. Such right could not be fettered in a manner likely to cause detriment to the business of the employer

The next important point for consideration is whether the transfer of Sri K. Rathnakar, contravenes the provisions of paragraph 535 of the Sastri Award and violate circular (Annexure No. 3) of the Second party. The Sastry Award gives

the following directions before effecting the transfer of an office bearer of the Trade Union.

- (1) Every registered bank employees' union, from time to time shall furnish the bank with the names of the President, Vice-President and the Secretaries of the union;
- (2) Except in very special cases, whenever the transfer of any of the above mentioned office bearers is contemplated, at least five clear working days' notice should be put up on the notice boards of the bank of such contemplated action;
- (3) Any representations, written or oral, made by the union shall be considered by the bank;
- (4) If any order of transfer is ultimately made, a record shall be made by the bank of such representations and the bank's reasons for regarding them as inadequate; and
- (5) The decision shall be communicated to the union as well as to the employee concerned—

Another requirement is that the Trade Union movement must be in its formative stage and is liable to be crippled easily, if its office bearer is transferred from that place. In the instant case all these directions are complied with Sri K. Rathnakar, as W.W. 1 in his cross examination admits that his transfer from Coondapoor to Haveri was duly notified to him by the Management as per Ex. W. 30 dated 7th October, 1963, that he was given an opportunity to make a representation after notifying his transfer as per Ext. W. 31 dated 9th October, 1963, that the management recorded the reasons for the transfer as per Ext. W. 32 dated 23rd November, 1963, and that the order of transfer is Ext. W. 33 dated 23rd November, 1963. Copies of the above records were also sent to Bank Employees Association South Kanara, Coondapoor. The Bank Employees' Association was founded as far back as 1958 and it can no longer be said to be in a formative stage and it is fully developed. The office bearers of the Trade Union as per Ext. W. 40 are

Designation.	No.	Name.
President.	one	Sri A. L. Habbar.
Vice-President	one	(NOTE: According to the evidence of W.W. 1 the number is three).
General Secretary	one.	

Joint Secretaries Three—including Sri K. Rathnakar, W.W. 1. Sri K. Rathnakar admits that next to the President comes the Vice-president in the order of precedence, that there are 3 Vice-Presidents of the Association, all of whom reside at Mangalore and that the working committee meetings are generally held at Mangalore. Thus Sri K. Rathnakar is not the only office bearer who has got to assist the president in the discharge of the duties of the association. Further he impugnes only the last transfer i.e., the transfer from Coondapoor to Haveri.

- (a) But to lend support against his transfer from Coondapoor to Haveri he says that ever since he joined service in the bank, there has been no harmony, cordiality, and amity existing between him and the bank authorities. There is no substance in this contention. He joined service of the bank in 1949, as a clerk at Udupi, where he worked continuously for a period of about 8 years. He admits in his cross examination that nothing untoward happened to him as long as he was at Udupi.
- (b) It was only on 21st August, 1958, that he was transferred from Udupi to Nellore as an acting accountant. He does not protest against this transfer, as he went there on promotion and with his oral consent. In the order of transfer the General Manager is said to have referred to the oral consent given by Sri K. Rathnakar. Sri K. Rathnakar, characterises the oral consent as a false statement being deliberately made. I have no reason to disbelieve the statement of the General Manager. It is extraordinary that a subordinate should characterise the general manager's words as a deliberate false statement (vide Ex. W. 2).
- (c) On 24th November, 1959 he was transferred to Prodattur from Nellore as a clerk, as he failed in his departmental test. In his cross examination he admits that he was transferred as a clerk on account of

his failure to pass the departmental test and that he did not protest against his transfer to Prdattur.

- (d) On 11th April, 1959, he was transferred to Hassan from Prdattur on his request. But he did not conduct himself properly there. Two separate charges were framed against him. The first chargesheet was as per Ext. W 7 dated 24th June, 1959. for

1. Refusing to sign the work distribution list dated 18th June, 1959, issued by the Agent for circulation amongst the concerned employees;

2. Making disparaging remarks against the officers and also the Head office in the open office in a loud tone.

The second charge was as per Ex. W 10 dated 14th July, 1959, for

1. becoming enraged and attacking Sri H. K. Varada Raja Setty, a distinguished and longstanding client of the bank, when went to the bank to release an R. R. Ex. M. 4 is Sri H. V. Ranganatha Setty's complaint petition. W.W. 1 Sri K. Rathnakar, identifies the signature Ex. M. 4(a) in Ex. M. 4 as that of Sri H. V. Ranganatha Setty. Sri K. Rathnakar did not file his objections to the charges made against him but merely stated that the charges might be inquired into. Ultimately he tendered his apology as per Ex. M. 1 dated 14th July, 1959, and Ex. W. 11, dated 31st July, 1959. The relevant portion of Ex. M. 1 reads as follows:—

"I have gone through the two charges of misconduct framed against me and I do not know what reply I can give in the face of the facts narrated in both the charges to which I plead guilty."

In Ex. W. 11 he says as follows:—

"If any such incident has taken place it is not intentional or wilful. I feel sorry, if I have wounded the feelings of any customer, with this assurance and expression of regret, I request you to drop the charges."

Sri Rathnakar cannot be believed when says that Ex. M. 1 and Ex. W. 11 were taken from him under coercion. As he was young and as he orally assured that he would open out a new leaf in his career and become a useful employee of the bank, the episode was treated as closed (*vide* Ex. W. 12 dated 7th August, 1959). Sri K. Rathnakar should thank his stars that the Bank authorities did not take serious notice of his acts of indiscipline, in-subordination and misbehaviour.

On 3rd August, Sri K. Rathnakar was transferred to Shirva from Hassan at his own request and also in the interest of the Bank. On 21st July, 1960, he was transferred to Byadagi on promotion and he admits in his evidence that he did not object to his transfer to Byadagi. He also says that he did not protest against his transfer to Rayadurg from Byadagi. His transfer to Mangalore from Rayadurg was at his request *vide* Ex. W. 17(a) dated 6th April, 1961. Ex. W. 19 is the order of transfer. On 27th May, 1961, he was transferred from Mangalore to Kushalnagar on promotion as an accountant, *vide* Ex. W. 20. There he quarrelled with the Agent Sri Vyasa Rao and a clerk. Even there he did not conduct himself properly. He served a memorandum on Sri G. Narasimha Pai, clerk in behind the back of the agent. He is said to have made a false statement that he went to Somwarpet on 1st October, 1961, to remit cash of Rs. 20,000 and returned to Kushalnagar on the same day. While as a matter of fact he returned to Kushalnagar on the following day. He was chargesheeted for the abovesaid acts of misconduct, *vide* Ex. W. 23. His explanation is as per Ex. W. 24 and he was transferred to Ponampt *vide* Ex. W. 27. From Ponampt he was transferred to Coondapoor at his request (*vide* Ex. M. 6). At Coondapoor he quarrelled with an active customer of the Bank Sri A. Vithal Ananth Pai, who complained to the General Manager as per Ex. M. 8. On 23rd November, 1963, he was transferred to Haveri.

Thus Sri K. Rathnakar had to be transferred frequently on promotion or at his own request or on account of his acts of insubordination, indiscipline and quarrelsome nature. In the case of interstate transfers his consent was taken. The Bank authorities have shown great patience and forbearance towards him. This is perhaps due to the interference of his elder brother Sri Srinivasa. Ex. M. 5 dated 12th August, 1959, is a letter written by the said Sri K. Srinivasa to

the General Manager Sri V. R. Kamath. The relevant portion of his letter reads as follows:—

"I express my gratitude for the kind generosity of yours in dropping the charges and posting him to Shirva. It was too much on my part of having troubled you with an affair of which you were not interested still I am happy to know that you have intervened in the matter and settled things for which myself, my brother and his family are greatful to you".

Ex. W. 45 is a letter written by Sri K. Rathnakar to the General Manager. In this exhibit he reports for his acts as follows:—

"I have received a letter from my brother informing me that he had personal talk with you during the last week of January and that in the course of his talk with you he had found you much displeased towards me. I therefore, sincerely and heartfully apologize for all my acts which suppose to have wounded your feelings towards me. I am in fact, repenting to all that I have done in the past due to apathy and I pray your pardon for the same. I am not oblivious of the fact that if I lose your confidence and sympathy there is none to help me in this institution."

Whenever Sri Rathnakar was transferred, what all he wanted was a transfer to Udipi or to a place very near that place. Whenever he asked for leave the Bank authorities promptly granted his request. In fact he misused the generosity of the Bank authorities. When he got leave on the ground of his wife's serious illness, he went to Hyderabad in connection with some conciliation proceedings. According to him misunderstanding means—a grievance that he was not prompted as an accountant. His other grievance is that the climate of the place of transfer did not suit him, his wife and children. He admits that as soon as he passed the requisite test, he was appointed as a probationary Accountant. He admits that according to Sastry Award transfer is a condition of service. Thus it is clear that even the transfers from 21st August, 1958, to 9th April, 1962, are neither *malafide* nor intended to stifle the Trade Union activities of Sri Rathnakar. In fact he became an office bearer of the union only on 9th June, 1963. Thus there is no violation of the provisions of paragraph 535 or 536 of the Sastry Award. Nor is there any violation of the Circular No. 49 of 62 of the Second party. The relevant portion of the circular reads as follows:—

"Subject to the exigencies of service, they are expected to be ready for transfer if they have served at a particular place for three years and above."

The circular does not say that no transfer should take place before the expiry of three years. In other words it does not prohibit transfer of an Accountant before the expiry of three years. The transfer of Sri K. Rathnakar is effected in the ordinary course of business. There were in Coondapoor Branch one agent, 2 accountants and 4 clerks while at Haveri Branch there were one Agent, one accountant and 7 clerks. With the enforcement of the Gold Control Order there was a steep fall in the work of the Coondapoor Branch while the work at Haveri Branch had increased. This is clear from the comparative statement of accounts Ex. M. 14 of the two branches. Ex. M. 14 discloses that there was an increase under most of the heads of accounts at Haveri while there was a steep fall under most of the heads of accounts at Coondapoor Branch. W.W. 2 Sri A. Laxman Naik, the Bank Agent at Coondapoor Bank in his examination-in-chief deposes that the effect of the Gold Control Order was that there was fall of more than 50 per cent. under the head Gold Loan Advances, that from a lakh and odd of Gold Loan Advances, there was a fall of more than 60 per cent. that he wrote to the Head Office that there was an extra hand, that there was a steep fall in advances and that there was no need for two accountants. W.W. 3, Sri B. Vithal Pai, Superintendent of the Establishment, in his examination-in-chief deposes that in Haveri Branch there was substantial increase in Godown loans and advances. The evidence of these two witnesses remain unchallenged. Further it is already observed that it is the function of the employer to decide whether the exigencies of service demand the transfer of an employee from one Branch to another or to the Head Office. I, therefore, hold that the transfer of Rathnakar is effected in the course of business.

Issue No. 2 reads as follows:—

"Does the transfer of Sri Rathnakar, after the disposal of the dispute violate the provisions of Section 33 (1) (a) of the Industrial Disputes Act, 1947?

No evidence is let in by the First Party in proof of this Issue. After arguments were heard, I found two documents relating to this Issue filed by the Second Party and they were marked as Exhibits M. 20 and 19. Ext. M. 20 dated 19th November, 1963, is the report of the Conciliation Officer reporting the failure of Conciliation to the Ministry of Labour and Employment, Government of India. This report was received by the Ministry on 20th November, 1963, as can be seen from Ext. M. 19. The Order of Transfer of Sri K. Rathnakar from Coondapoor to Haveri is dated 23rd November, 1963. Thus there is no violation of Section 33(1) (a) of the Industrial Disputes Act, 1947.

In the result I pass an award holding that the transfer of Sri K. Rathnakar, Additional Accountant, from Coondapoor Branch to Haveri Branch of the Canara Banking Corporation Limited is justified and is effected in the ordinary course of business.

I ordered no costs.

Dictated and corrected by me.

Sd./- K. GUBBIAN,
Presiding Officer,
Central Government Industrial Tribunal,
Bangalore.

[No. 51(83)/63-LRIV.]

S.O. 1865.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendments in the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 2865, dated the 2nd November 1961, namely:—

(1) In serial No. 9 of Schedule 1,

against the area 'Dharwar' in column 4 for the entry "3. Mysore State Khadi and Village Industries occurring in column 5, the following entry shall be substituted, namely:—

"3. Khadi and Village Industries Commission Fibre Carpentry Industries Workshop, Belgaum Road";

(2) In Schedule VI,

(i) under "AGRA DIVISION",

against item 6, the entries "Makhanpur" and "Mahabir Glass Works", occurring in columns 4 and 5 respectively shall be omitted.

(ii) under "ALLAHABAD DIVISION",

against item 14, the entries "Rihand Dam Site" and "1. Hindustan Construction Co Ltd., 2. Temporary Electric & Mechanical Workshop" occurring in columns 4 and 5 respectively shall be omitted.

(iii) under "SAHARANPUR DIVISION",

against item 10, the entries, "Chikamberpur", "Malaknagar" and Sahibabad occurring in column 4, and the corresponding entries "Bharat Commercial Cycle Industries";

"1. Sterling Electroplating Works,

2. Bhagwati Glass Works Ltd.,

3. Hindustan Industrial Corporation,

4. Viswa Nath Jugal Kishore Dyeing and Printing Works,

5. Hindustan Chains (P) Ltd." and

"1. Modern Industries,

2. Dass Motors (P) Ltd.,

3. Jayna Times Industries (P) Ltd."

occurring in column 5 shall be omitted

[No. F. 6(27)/64-HL.]

S.O. 1867.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay in the industrial dispute between the employers in relation to the Bombay Port Trust and their workmen which was received by the Central Government on the 12th May, 1964.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE No. C.G.I.T. 47 of 1963

Employers in relation to the Bombay Port Trust

AND

Its Workmen.

PRESENT:

Shri Salim M. Merchant—Presiding Officer.

For the Bombay Port Trust.—Shri M. R. S. Captain, Assistant Legal Adviser.
For the Workmen:—

For the Bombay Port Trust General Workers' Union.—Shri S. Moitra, General Secretary.

For the Bombay Port Trust Employees' Union.—Dr. Shanti Patel, M.B.B.S., General Secretary with Shri S. Shetye, Assistant Secretary.

Bombay, dated the 8th May 1964

INDUSTRY: Docks & Potts.

STATE, Maharashtra.

AWARD

On a joint application dated 30th September 1963 made by the Bombay Port Trust, and the Bombay Port Trust General Workers' Union, The Central Government by the Ministry of Labour and Employment's Order No. 28/77/63 L.R. IV dated 30th October 1963, made in exercise of the powers conferred by sub-section (2) of Section 10 of the Industrial Disputes Act, 1947 (Act XIV of 1947), was pleased to refer the industrial dispute in respect of the following subject matters to me for adjudication:

"1. Whether "B" Scale Clerks employed as Typists and who qualify for the special pay of Rs. 15/- per month in term and in pursuance of the provisions of the resolution of the Trustees of the Port of Bombay, bearing No. 535 of 1963, have any justification for claiming such special pay with retrospective effect from 1st January 1960.

2. Whether "B" Scale Clerks employed as Typists who acting in concert refused to perform their duties as typists from the 6th day of August 1963 to the 14th day of August 1963 although present in their respective offices during their normal working hours are entitled to wages for the said period during which they refused to do typing duty as stated above."

2. After the usual notices were issued, the Bombay Port Trust General Workers' Union filed its written statement of claim dated 21st November 1963 to which the Bombay Port Trust filed its written statement in reply dated 9th December 1963. At the hearing the Bombay Port Trust Employees' Union also put in its appearance and its representatives were also heard.

3. The history of the present dispute as stated in the parties' written statements and in their submissions at the hearing appears to be that prior to 1951 there was a separate grade of typists who formed a cadre of their own, but this arrangement, according to the Administration, did not work satisfactorily and in the interest of flexibility of administration this separate cadre was abolished in 1951 and typists were merged with 'B' scale Clerks, and thereafter, knowledge of typing was not made one of the express conditions of recruitment to the clerical "B" Scale. Thereafter, some time prior to 1960, the B.P.T. General Workers' Union demanded that "B" Scale Clerks posted to work as Clerks but required to attend to typing jobs, should be paid an extra allowance of Rs. 20/- per month but the administration declined to grant the demand, whereupon the Union included this demand in a charter of demands dated 14th April 1960 over which it raised an industrial dispute and referred it to the Regional Labour Commissioner (C) for conciliation. In this demand the Union had based the claim for special allowance as compensation for extra burden, responsibility and strain which the additional work of typing imposed on the "B" Scale Clerks asked to do typing work. The Administration by its letter dated 30th May 1960 refused to grant the demand and on 16th June 1960 the Regional Labour Commissioner submitted his failure report to Government. Thereupon, correspondence followed between the Union and the Government, who informed the Union that it did not consider the demand justified and, therefore, not fit for reference to adjudication. On the advice of its Federation the matter was again taken up by the Union, and on 21st August 1962 it again represented to the management its claim for grant of special allowance to clerks doing typing work and by its letter dated 4th September 1962, the Bombay Port Trust informed the Union that the matter was receiving its attention.

4. On 21st June 1963 the Chairman put up a note on the subject for the consideration of the Trustees, in which after referring to the integration in 1951 of typists with "B" Scale Clerks he pointed out that thereafter knowledge of typing had not been made an express condition of recruitment to the clerical "B" scale. He, however, pointed out in his note that it was then hard to come by candidates for clerks posts knowing typing; that many of the old recruits who continued to do typing work had been promoted to "A" scale, and considerable difficulty was experienced in replacing them. He further stated that typing knowing clerks who

were engaged were demanding rotation with other clerks on typing work, which was resented by the other staff on the ground that it involves an adverse change in their service conditions. Taking into consideration the prevailing practice in several Government and Corporate Organisations, he recommended as follows:—

"I recommend that "B" scale clerks in this Administration who are employed as Typists may be paid a special Pay of Rs. 15/- per month with effect from 1st July 1963. The Special Pay will be admissible only to those "B" Scale Clerks, who possess a minimum typing speed of 40 words per minute and for so long as they are actually employed against one of the sanctioned posts of "B" scale Clerks (Typists). Periodical tests to ascertain their speed in typing will be held. As already mentioned above Comptists, Adrema or Bradma machine Operators are allowed a special pay of Rs. 15/- per month.

5. The Trustees of the Bombay Port Trust by their Resolution No. 535 of 25th June 1963, approved these proposals of the Chairman, and granted special pay of Rs. 15/- per month for all "B" scale Clerks doing typing work with effect from 1st July 1963. This is the resolution of the Trustees referred to in the demand No. 1 under reference and the question referred for adjudication under the demand is a short one viz. whether the demand of the "B" Scale Clerks employed on typing work for payment of this special allowance of Rs. 15/- per month, under the Trustees said Resolution No. 535 of 1963, retrospectively from 1st January 1960, is justified.

6. The Bombay Port Trust General Workers' Union's contention is that it was entitled to claim this special pay of Rs. 15/- for 'B' Scale Clerks employed as Typists, since 1957 because it had first raised this demand in that year. It has stated that in course of negotiations in a spirit of compromise it had reduced the demand and had suggested that the special pay should be paid with retrospective effect from 1st January 1960 and not from 1957. The Union has stated that it made this modified demand on 2nd July 1963 along with the demand that those "B" scale clerks who upto this date were attending to typing work should not be called upon to sit for any typing speed test and should be granted the special pay without any such typing test being insisted upon. It further demanded that "B" Scale Clerks who were at that time attending to typing work should not be transferred to other sections or to any other job not requiring any typing after the lapse of five years from that date; that the Union would have no objection to typing test being taken from new entrants. The Union had then stated that if these demands were not conceded it would not be possible for 'B' Scale Clerks to undertake any typing jobs. It further appears that on 11th July 1963 the Union discussed these matters with the General Manager of the Port Trust and thereafter with the Chairman on 20th July 1963. It also submitted a detailed memoranda to the Chairman explaining why it was demanding the special pay with retrospective effect. (Annexure 'A' to the Union's statement).

7. Briefly stated the Union supports to its demand for retrospective effect on the following grounds:—

(1) that typing work is deleterious to the health of the typist and to use its language— "endangers his future life". It has argued that typing work is, "so strenuous that a typist needs extra remuneration to keep up his health". It has urged that the Port Trust had itself recognised the justification for higher pay for typists because in 1948 it was paying its typists Rs. 100/- per month whilst it paid its clerks only Rs. 55/- per month. (2) That whilst granting special allowance to Comptists, the Port Trust had not considered the claim of the Typists. (3) That stock verifiers in the Chief Accountant's Department were granted a special pay of Rs. 25/- with effect from 1st November 1957. (4) That in the case of Machine Operators in the Chief Accountant's Department a special allowance of Rs. 15/- had been granted with retrospective effect from 1st November 1957 under the Trustees' Resolution No. 1042 of 25th November 1958. (5) That the Port Trust was paying a special allowance of Rs. 15/- to a typist of the Medical Department but had failed the justice to the rest of the typists. (6) That the Union had made the demand for special pay for typists as far back as in 1957.

8. The management has opposed the grant of any retrospective effect and Shri Captain, the Assistant Legal Adviser, argued before me that the special allowance was sanctioned more as an incentive and for such incentive payment there could not be any retrospective effect. He has argued that whilst in the beginning the condition was that 'B' scale clerks should not be confirmed unless they passed the typing test, that condition had to be relaxed until ultimately the typing allowance was sanctioned as an inducement to clerks' efficiency. He has argued that the history of the demand showed that a similar dispute was raised in 1956, but the Government had refused to refer it to a Tribunal for adjudication on the ground of

the demand being unreasonable. He has also relied upon the fact that the Committee for the Classification and Categorisation of Class III and IV employees (popularly known, after its Chairman, as the Jeejeebhoy Committee) had recommended the same scale of pay for clerks 'B' scale as for typists viz. Rs. 50-100-EB-150, without any special allowance for typists.

9. Shri Captain has further pointed out that the Jeejeebhoy Committee in Para 23 of its report had stated that there was a combined cadre of clerks and typists at Bombay, Cochin, Kandla and Madras Ports. He has also referred to the Bombay Port Trust General Workers' Union's written statement before the Jeejeebhoy Committee (See Appendix E in the Committee's Report as Exhibit No. CGXXXX) in which it had made the following demand in respect of typists:

"In the considered opinion of this Union it is not felt necessary to maintain a separate category of typists as all clerks are required to do typing work. It is, therefore, submitted that the category of typists in the Accounts Department should be abolished and the work of typing should be allotted and it should carry the same scale of pay."

The Bombay Port Trust has submitted that this Union had thus not made any demand before the Jeejeebhoy Committee for any special allowance for the grant of any special pay whatever to the 'B' scale clerks employed as typists.

10. The Port Trust in opposing the demand has pointed out that the present trend is to treat typing work as forming the normal duty of the clerical cadre of employees and it has in support relied upon (a) the observations in paragraph 19 at page 114 of the Second Pay Commission's Report where typing is stated as among the normal duties of a lower division clerk in the Central Governments service (b) the directions contained in paragraph 5.261 of the Award of the National Industrial Tribunal (Bank Disputes) dated 7th June 1962, relating to "Typists", where it was observed that the Sastri Tribunal had taken the view that typists form part of the regular clerical grade; that the Labour Appellate Tribunal in deciding the appeal from the Sastri Tribunal's Award, had held that the case of clerks who were typists did not call for special consideration. The Bombay Port Trust has also relied upon the directions in the Award of the National Industrial Tribunal (Bank Disputes) which had observed that the scales of pay fixed by it for clerical grades were adequate for the typists also.

11. I have given anxious thought to the submissions of both parties. It is true that the Unions had been demanding the payment of a special allowance for 'B' scale clerks doing typing work since 1957 long before the same had been sanctioned by the Trustees Resolution No. 535 of 1963. I am not at all impressed by the Union's argument, as stated in its memoranda to the Chairman of the Bombay Port Trust (Annexure 'A' to the Union's written statement) that the demand for special allowance for typists is justified on the ground of typing work being so strenuous as to be deleterious to health. The modern trend of Awards of Tribunal and wage fixing authorities is to treat typing as the normal duty of the clerical cadre of employees. The one argument urged in support of the claim for retrospective effect on behalf of the Union which had some force was the fact that, to Machine Operators in the Chief Accountant's Department of the Bombay Port Trust had been granted special allowance with retrospectively for about one year. But that appears to have been a special case. The present trend of Awards of Tribunals and wage fixing machineries is to treat typing work as part of the normal duty of clerks, as is clearly established by the decisions cited by Shri Captain, to which I have referred earlier. It is also clear from the observations of the Jeejeebhoy Committee that there is a combined cadre of clerks and typists in the Bombay, Cochin, Kandla and Madras Ports. No doubt, the Jeejeebhoy Committee has in para 47 of its Report protected the existing special allowance even for categories for which it has given revised and higher scales of pay. In some cases, however, it has fixed new scales without the benefit of the continuance of the existing special pay or allowance and this has been specifically indicated in the schedules to the Committee's Report.

12. What, however, is to be considered under demand No. 1 is whether the Union's demand for payment of the special pay of Rs. 15/- per month granted by the Trustees Resolution No. 535 dated 25th July 1963, with retrospective effect from 1st January 1960, is justified? I have given a careful consideration to the submissions of both parties and I am of the opinion as stated above, that the demand for retrospective effect cannot be held to be justified. The demand for retrospective effect being given to the payment of the special allowance of Rs. 15/- per month to the 'B' scale clerks employed as typists with retrospective effect from 1st January 1960 or any other date earlier than 1st July 1963 is therefore rejected as unjustified.

Demand No. 2:

13. It is admitted that 'B' scale clerks employed as typists declined to do typing work from 6th to 14th day of August 1963 although present in their respective offices

and the question that is referred for decision is whether they are entitled to the wages for the said period during which they refused to do typing work.

14. Now, it was stated, at the hearing of this dispute on 29th January 1964, on behalf of the Bombay Port Trust that it seeks to deduct the wages for the period from 6th to 14th August of only those 'B' scale clerks who are employed on typing work in the 80 to 90 scheduled posts, and they only are the workmen covered by this demand. This appears to be so from the statement made in clause (d) in the statement giving the particulars required under Rule (3) of the Industrial Disputes (Central) Rules 1957, where the estimated number of workmen affected or likely to be affected by the dispute is stated to be about 80.

15. As I have already stated earlier, after the Trustees Resolution No. 535 was passed on 25th June 1963 the Union on 2nd July 1963 wrote to the Administration putting forward the four demands which I have mentioned above, and informed the Administration that unless those demands were conceded it would not be possible for the 'B' scale clerks to undertake any typing job. Thereafter, the Union discussed the matter with the General Manager of the Port Trust and submitted its memorandum (Appendix 'A' to the Union's written statement).

16. In its letter of 2nd July 1963 to the Administration the Union had stated as follows:—

"We beg to point out that unless it is agreed by the Administration to extend the benefit of typing allowance to all these 'B' scale clerks who are attending to typing work without calling upon them to appear for speed test, the 'B' scale clerks under reference would be forced to express their inability to attend to any typing work, and will be agreeable to work only on clerical jobs. This may kindly be noted."

17. The Administration by its reply dated 2nd July 1963 after stating that it had been decided that 'B' scale clerks who are appointed as typists should be granted a special pay of Rs. 15/- per month further informed the Union that the special pay would be admissible to only those 'B' scale clerks who possess a minimum speed of 40 words per minute and so long as they are actually employed against the sanctioned posts of 'B' scale clerks (typists) and that necessary instructions to that effect had been issued to the Heads of Departments.

18. It is the Union's contention that the Administration was adopting a contradictory position in limiting the benefit of the special pay of Rs. 15/- per month to those actually employed against the sanctioned posts of 'B' scale clerks (typists).

19. No settlement could be reached during the Union's discussion with the General Manager of the Port Trust on 11th July 1963 and with the Chairman on 20th July 1963, and by its letter dated 31st July 1963, the Union again reiterated that unless the issue was settled by 6th August 1963 on the lines suggested by the Union, "the 'B' scale clerks would be forced to express their inability to undertake any typing work, though they would be prepared to undertake any routine clerical job that falls within the purview of the normal duties and responsibilities of 'B' scale clerks."

20. The Union has in its written statement given lengthy extracts from duty lists of 'B' scale clerks in various departments and has also relied upon the statements made by the Administration before the Jeejeebhoy Committee regarding the duties of 'B' scale clerks, in justification of its stand that as it was not the duty of 'B' scale clerks to do typing work and that therefore they were justified in refusing to do typing work between the 6th and 14th of August, 1963. The Union's contention is that in most of the departments of the Port Trust, 'B' scale clerks were doing typing work without there being any sanctioned posts of typists and, therefore, the expression of their inability to undertake any additional work by way of typing jobs could not be construed as their resorting to stoppage of work. But, as I have pointed out in the beginning of my observations on demand No. 2 herein, the Bombay Port Trust's stand on this demand is that only those 'B' scale clerks who were on typing work in the 80 to 90 scheduled posts, and who had refused to do typing work from 6th to 14th August 1963, were not entitled to payment of their wages, for that period. It is not, therefore, necessary to go into the question whether all the rest of the 'B' scale clerks—other than the 80 to 90 in the scheduled posts—are entitled to payment of their wages for the period from 6th to 14th August 1963, because the Administration does not desire to deduct their wages for this period.

21. Confining my attention therefore only to those 80 to 90 'B' scale clerks whose normal duty is to do typing work exclusively, I am of the opinion that there was no justification for them to resort to a stoppage of their typing work. In their case the stoppage of work by them clearly amounted to a pen down strike. The Union had sought to argue that because they were allowed to sign the muster and enter the

office and sit in their seats in their respective departments, it cannot be said that they were on strike. In my opinion, the refusal to do typing work by clerks 'B' scale, (typists), who were in the sanctioned posts, must be held to amount to a strike. They had clearly acted in concert and had refused to do their normal work of typing. This clearly amounted to their having resorted to a pen down strike. There are sufficient authorities to establish that such refusal to do work would amount to a strike as defined by section 2(q) of the Industrial Disputes Act.

22. In my opinion this strike must be held to be unjustified. The demand over which the strike was resorted to was not of such an urgent nature that the interests of Labour would have suffered an irreparable loss if the procedure prescribed by law for settlement of such disputes through Industrial Tribunals was resorted to. As pointed out by their Lordships of the Supreme Court in the case of Chandramalai Estate, Ernakulam and Its workmen and another (1960 II LLJ p. 243):

"After all it is not the employer only who suffers if production is stopped by strikes. Whilst on the one hand, it has to be remembered that strike is a legitimate weapon and sometimes an un-avoidable weapon in the hands of labour, it is equally to be remembered that a hasty use of this weapon should not be encouraged. It will not be right for labour to think that for any kind of demand a strike can be commenced with impunity without exhausting reasonable avenues of peaceful achievement of their objects."

23. In my opinion the circumstances of this case were also like the circumstances in the case of the Chandramalai Estates case where their Lordships observed that the concerned workmen could well have waited for sometime after conciliation efforts failed, before starting a strike and in the meantime to have asked the Government to make the reference.

24. I would, therefore, hold that the workmen concerned in demand No. 2. are not entitled to any wages for the strike period between the 6th and 14th August, 1963.

25. The Port Trust has filed a list of the workmen who would be covered by demand No. 2 (statement Ex. E) to which the B.P.T. General Workers' Union has filed a reply dated 17th February 1964 and to which the Bombay Port Trust has filed a rejoinder dated 31st March 1964. There is controversy between the parties as to some of the workmen who come within the group of about 80 clerks 'B' scale (typists) and who refused to do typing work and the period for which they did not do typing work during 6th and 14th August 1963. But that would be a matter of detail to be worked out when the wage deduction for the period in question is effected.

26. I, therefore, Award on demand No. 2 that those of the 'B' scale clerks (typists) who were employed in typing work in the scheduled posts will not be entitled to wages for such of the days between 6th and 14th August, 1963, on which they refused to do typing work.

27. No order as to costs.

(Sd.) SALIM M. MERCHANT,
Presiding Officer.

Central Government Industrial, Tribunal
[No. 28/77/63-LRIV.]

New Delhi, the 21st May 1964

S.O. 1368.—In exercise of the powers conferred by section 73F of the Employees State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendments in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 581 dated the 20th February, 1962, namely:—

In the Schedule to the said notification, in the entries against serial No. 2, occurring under columns 3 and 4, the following entries shall be omitted, namely:—

3

4

"Uthukuli

1. Sri Vasantha Oil Mills, Uthukuli
2. Huq Rice & Oil Mills, Uthukuli."

[No. F. 6(6)/62-HI.]

S.O. 1869.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour and Employment No. 889 dated the 4th March, 1964, namely:—

In the Schedule to the said notification,
serial No. 4 and
the entries relating thereto

occurring in columns 2, 3 and 4 respectively shall be omitted.

[No. F. 6(50)61-HI-Pt.]

S.O. 1870.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 1114 dated the 6th April, 1964, namely:—

In the Schedule to the said notification,

against serial No. 1 and the district 'Coimbatore' in column 2,

(i) the entries "Semmipalayam" and "Lakshmi Mills Co. Ltd." occurring in columns 3 and 4 respectively shall be omitted,

(ii) the entries "Uthukuli" and "1. Shri Santhalakshmi Mills", "2. Bharath Mills Ltd",

occurring in columns 3 and 4 respectively shall be omitted.

[No. F. 6(89)/63-HI.]

S.O. 1871.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 2871 dated the 11th September, 1962, namely:—

In the Schedule to the said notification,

against serial No. 1,

the entries "Channapatna" and

"1. The Hindustan Rice & Oil Mills,

2. Government Spun Silk Mills,

3. The New India Oil & Rice Mills",

occurring in columns 3 and 4 respectively shall be omitted.

[No. F. 6(41)/62-HI.]

S.O. 1872.—In exercise of the powers conferred by section 73B of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendments in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 1514 dated the 26th June, 1959, namely:—

In the Table annexed to the said notification, the following entries shall be inserted in columns (1) to (3) at the end, namely:—

1	2	3
Pondicherry	Presiding Officer, Labour Court, Pondicherry.	Union territory of Pondicherry.

[No. F. 1(2)/63-HI.]

New Delhi, the 22nd May 1964

S.O. 1873.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Delhi in respect of an industrial Dispute between the employers in relation to the Punjab National Bank Limited and their workmen which was received by the Central Government on the 20th May, 1964.

BEFORE SHRI ANAND NARAIN KAUL, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DELHI.

PRESENT:

Shri Anand Narain Kaul, Central Government Industrial Tribunal, Delhi.
The 30th April, 1964.

REFERENCE I. D. No. 13 of 1963.

BETWEEN

The employers in relation to the Punjab National Bank Limited, New Delhi.

AND

Their workmen.

Shri M. K. Jain—for the management.

None on behalf of the workmen.

AWARD

By S. O. No. 51(63)/63-LRIV dated the 5th October, 1963 the Central Government, in the Ministry of Labour and Employment has referred to this Tribunal, for adjudication, a dispute existing between the employers in relation to the Punjab National Bank Limited, New Delhi (to be referred to hereinafter as the Bank) and their workmen in respect of the matters as specified in the Schedule annexed thereto. The matters so specified in the Schedule are as follows :—

- (1) Whether the Bank was justified in terminating the services of Shri Madan Lal Wahi employed as Godown Keeper in the Mhow and Indore Offices? If not, to what relief is he entitled?
- (2) Whether by virtue of Shri Madan Lal Wahi working for Indore Office he is entitled to wages as admissible to Area II and, if so, for what period?

2. In response to the usual notices issued to the parties the All India Punjab National Bank Employees' Association (to be referred to hereinafter as the Association), representing the workman, filed a statement of claim on 28th November 1963, after seeking several adjournments for the purpose. The management filed a written statement also after taking adjournments. The following issues were framed on 17th January 1964, in view of the pleadings of the parties :—

- (1) Whether the dispute is an industrial dispute within the meaning of Section 2(k) of the Industrial Disputes Act?

- (2) } As in the reference.
- (3) }

The representatives of the parties were first heard on February 24th, 1964 on the preliminary issue and it was agreed by both parties that the issue may be disposed of in the final award.

3. The Association in support of its case first made an application for production of a large number of documents from the records of the Bank at Mhow Cantonment and Indore but the parties were persuaded first to arrange for an inspection of the relevant records at the above-named places by the Association's representative and then to file and agreed list of the relevant documents inspected and their material contents. An inspection was made accordingly and an agreed list dated 16th March 1964, signed by the representatives of both parties, was filed. At the next hearing on 24th March 1964, 43 documents filed by the management and 9 by the Association were marked as exhibits. Final arguments were then heard on 3rd and 14th April and an affidavit was filed on behalf of the management, as directed by the Tribunal, on the question whether Barwaha is within the municipal area of Indore City or outside it. I shall now deal with the issues.

Issue No. 1.—

4. This issue embodies the preliminary objection on behalf of the Bank that the dispute referred to the Tribunal is only an individual dispute and not an industrial dispute since it has neither been raised by any substantial body of workmen nor by a union which is a representative body of the workmen. Nor, according to the Bank, has the dispute been sponsored by following a proper procedure for taking up a dispute. In its re-joinder to the Bank's written statement the Association has pointed out that, being a body having membership from different offices of the Bank throughout the country and a Federation of various registered trade units, it held a meeting on 3rd April 1961 and decided to

agitate the issue of non-payment of appropriate wages to Godown-Keepers posted at outstation godowns according to their controlling offices and a number of disputes were raised. According to the Association, Shri M. L. Wahi, the workman concerned, belongs to the class of workmen designated as Godown-Keepers and/or Clerk-cum-Godown-Keepers who are represented by the Association. The Association has filed a copy of its printed constitution and a copy each of its Annual Report 1958-59, presented at the Second Annual Conference of the Association held at Ajmer on 5th December, 1959 and of the Proceedings of the Annual Conference of the Association held respectively at Ajmer and Amritsar in December 1959 and August 1, 62. A copy, Ext. W/10, of the proceedings of a meeting of the Executive Committee of the Association held at Ballimaran, Delhi on 3rd April, 1962 was also filed. Amongst the resolutions passed at the meeting there is one at serial No 3 relating to non-payment of appropriate wages to employees working as Godown-keepers at places where there are no regular offices of the Bank. In the list of employees given below the resolution is included the name of Shri M. L. Wahi, the concerned workman. The Working Committee appears to have resolved unanimously to take up the cases of these workmen with the management and, if nothing came out of such espousal, to move the appropriate authorities. The Association has also filed a copy of a letter, Ext. W/11, addressed to the Staff Manager of the Punjab National Bank Limited dated April 8, 1962, representing the cause of Shri M. L. Wahi, for payment of wages to him as Godown-keeper according to the area in which the ~~particular~~ office is situated. These documents show that the Association is a representative body of employees of the Punjab National Bank and that the case of Shri M. L. Wahi was duly taken up by the Working Committee of the Association and represented to the management. It is now settled law that an individual dispute of a workman is transformed into an industrial dispute if it is taken up either by an appreciable number of employees of the establishment to which the workman belongs or by a representative union of employees. The learned representative of the Bank had hardly anything to say on this issue. My finding, therefore, is that the case of the workman has been duly espoused and is an industrial dispute within the meaning of Section 2(k) of the Industrial Disputes Act.

Issue No. 3—

5. I shall first take up this issue in view of the fact that the learned representative of the Bank has agreed to the demand of the Association in this respect. The case of the Association is that Shri Madan Lal Wahi was appointed by the Bank's letter dated 10th February 1960 to look-after the godown of M/s. Ilava & Sons at outstation Barwaha, that Shri Wahi, since the very date of his appointment on 10th February 1960 at outstation Barwaha, had also been looking-after the godowns of M/s. S. R. Kalani and Company controlled by the Branch Office at Indore City. It is stated that the Manager of the Indore City Branch even obtained from Shri Wahi a security of Rs. 1,000/- M/s. Ilava & Sons had their account at B/O Mhow Cantt. from 10th February, 1960 to 10th July, 1960 and from 11th January, 1961 to 18th October, 1961 only. The services of Shri Wahi were, however, extended by the Manager B/O Mhow Cantt. from time to time, in each case, by one month upto 10th July 1960 and another appointment letter dated 11th January 1961 was issued by the Manager, B/O Mhow Cantt. with effect from 11th January 1961. Extensions of one month each were given by the same Branch Manager to Shri Wahi from time to time by various letters, the last extension being by letter dated the 12th March, 1963 which was to expire on the 10th April, 1963. By letter dated 9th April, 1963 the same Branch Manager asked Shri Wahi to hand-over the charge of stocks in the godowns at Barwaha of two parties to another junior temporary hand Shri N. B. Nagar. Shri Wahi accordingly handed-over charge of the godowns on 10th April, 1963. It follows from the above narrative that from 11th July, 1960 to 10th January, 1961 Shri Wahi never looked-after the godowns of M/s. Ilava & Sons and from 19th October, 1961 onwards M/s. Ilava & Sons had no account in these branches. During this period Shri Wahi was solely looking after the godowns of various parties who had their regular accounts with the B/O Indore City and these godowns at outstation Barawaha were, for all intents and purposes, controlled by B/O Indore City, the Mhow Cantt. office having had nothing to do with the same. The Association alleges that, in order to avoid payment of wages to Shri Wahi for the Indore Area, he was issued an appointment letter by the Mhow Cantt. Office although from the very date of appointment at Barwaha Shri Wahi was looking after the godown of M/s. S. R. Kalani & Co., which was controlled by the Indore City Office. Since the date of his appointment on 10th February 1960 Shri Wahi had been looking after the godowns of more than one party and, excepting one godown, all were controlled by the Indore City Office throughout. As such, according to the Association, Shri Wahi was entitled to basic pay, dearness allowance and other allowances as for

the Indore City Area, but he had been paid according to Area IV in which Barwaha outstation godown was situated. The Mhow Cantt. happens to be in Area III, while the Indore City Branch Office is located in Area II. The claim of the association, therefore, is that Shri Wahi is entitled to the difference of wages of Area II and Area III, less the amount already paid, for the entire period in question. It appears, however, that, on being approached by the Association, the Bank stated in its letter No. Labour II 1318-6093, dated 11th May, 1963 that Shri Wahi had been paid emoluments of Area III in which Pay Office Mhow Cantt. is situated on the plea that he throughout remained attached to that Pay Office. The same plea has been taken in the written statement of the Bank. As regards the security taken from Shri Wahi it is stated that, although it was deposited with the Indore City Office, the parent branch, it was transferred from that Branch to Mhow Cantt. Office on 20th January, 1961. It is further stated, in the written statement of the Bank, that Shri Wahi had already received the difference of emoluments of Areas III and IV for the period from 10th February, 1960 to 1st July, 1960 and from 1st January, 1961 to 31st December, 1961 and he had also been paid emoluments of Area III from 1st January, 1962 till the termination of his services. It was also conceded in the written statement that, since Shri Wahi remained attached to the Indore City Branch which was Area II during the period from 10th July, 1960 to 11th January, 1961, he is entitled to wages according to Area II but the difference had not been paid to him as the amount payable to him had been kept under lien in connection with his responsibility in the matter of accounts of Shri Kalu Ram Lakshman in connection with a suit filed by M/s. Shri Kishan Nand Lal & Co. against the Bank and others at Barwaha.

6. During the hearing of final arguments, however, Shri M. K. Jain on behalf of the Bank made a statement that the Bank was prepared to accept the entitlement of Shri Madan Lal Wahi for payment of wages and allowances as admissible to Area II, that is to say, on the basis of his being treated as an employee of the Indore B/O through out the period of his appointment at Barwaha but he made a further statement that the Bank is entitled under the Madhya Pradesh Shops and Establishments Act to with-hold the payment of dues in this respect in connection with his responsibility for the accounts of parties whose godowns he was looking after at Barwaha. The entitlement having been conceded, this Tribunal can only pass an award in accordance with the terms of the reference without laying down any conditions, as to the with-holding of the amount by the Bank. I have not been shown the provisions of the Madhya Pradesh Shops and Establishments Act under which the Bank claims the power of with-holding of such payments. Nor do I know whether there are any circumstances justifying the with-holding of such payments under the provisions of that Act. If any such circumstances, justifying with-holding of such payment, exist, and if the Bank is empowered to with-hold the payment, it is for the Bank to take the responsibility of acting under the provisions of law. I must, however, observe that, if Shri Wahi had any liabilities in these matters, I am unable to see why they could not be covered by the security that was taken from him by Indore Branch.

7. My finding on the issue, therefore, is that Shri Madan Lal Wahi is entitled to be paid for the entire period of his service at Barwaha the difference of the wages and allowances for Indore area and Mhow Cantonment area, less any amount already paid, whether by way of difference between the emoluments of Areas III and IV or otherwise.

Issue No. 2—

8. In the statement of claim itself the Association has admitted in para. 2 that Shri Madan Lal Wahi was appointed as a temporary Clerk-cum-Godown-keeper against a temporary vacancy by letter of appointment dated the 10th February 1960, for a period of one month, at outstation Barwaha but the designation was changed to Godownkeeper by letter dated 29th February 1960. The first letter is Ext. M/1 and the second is Ext. M/2. Further extensions of one month each are contained in the letters Exts. M/3 to M/6, all of which were on the terms and conditions contained in the original appointment letter Ext. M/1. The extension of one month under the letter Ext. M/6 was to expire on the 10th July 1960 but through a letter, Ext. M/7, dated 14th July 1960, from the Manager, Indore B/O, Shri Wahi was informed that his services were not required by the Officer Incharge, Pay Office, Mhow Cantt. in view of the final release of the stocks of M/s. Illava & Sons but, since he was also supervising the stocks of M/s. Kalani & Co., Indore, pledged with the Indore B/O and lying at Barwaha, his services were extended from the 11th July to 10th August, i.e., for a period of one month on the terms and conditions mentioned in the original letter Ext. M/1 to supervise the stocks of M/s. S. R. Kalani & Co. Extensions of one month and a fortnight respectively were granted thereafter by the Manager, Indore B/O

on the original terms and conditions by letters Exts. M/8 and 9. Further extensions of one month each, beginning from the 25th October 1960, were granted by the same Branch Office by letters Exts. M/10 to 13. The term of appointment under the letter Ext. M/13 was to expire on the 23rd January 1961 and all these appointments were for supervising the stocks of M/s. S. R. Kalani & Co. By a letter, Ext. M/14, dated 11th January 1961, however, the Manager, Mhow Cantt. Branch intimated Shri M. L. Wahi of a fresh appointment "as a temporary Godown-keeper in a temporary vacancy on a purely temporary basis" for the supervision of stocks pledged in the accounts of M/s. Illava & Sons. The terms and conditions in this fresh letter of appointment were similar to those in Ext. M/1, the original appointment letter. The appointment was for one month in the first instance. Further extensions of one month each were granted by the same office (Mhow Cantt.) by letters Exts. M/15 to 23. The extension under the letter Ext. M/23 expired on 10th January 1961.

9. By a letter, Ext. M/24, dated November 11, 1961 the Manager, Mhow Cantt. Office granted a fresh extension of one month to Shri M. L. Wahi but this time for supervision of stocks pledged in the account of M/s. Gopal Das & Bros. It was laid down as a further condition that his services could be terminated at any time even earlier than the expiry of the stipulated period without any notice. A fresh extension letter for one month, Ext. M/25, dated December 11, 1961 was issued but it referred to the supervision of stocks of two more parties pledged with the Bank, namely M/s. Gopal Das and Bros. and M/s. Ganeshram Chhagalal, and also stocks of other parties to be pledged with the Bank. After this there were further extensions of one month each on the same terms and conditions by letters Exts. M/26 to 40. Ext. M/40 is the last letter of extension with effect from 11th March 1963 for a period of one month and it was by letter Ext. M/41 dated 9th April 1963 that Shri Wahi was instructed to handover charge of his stocks of M/s. Kamruddin Asgarali and of M/s. Kaluram Laxman, which were under his supervision, to Shri N. B. Nagar. Ext. W/1 dated 10th April 1963 is the charge report signed by Shri N. B. Nagar, whereby he took charge of the godowns of M/s. Kaluram Laxman and M/s. Kamruddin Asgarali from Shri M. L. Wahi. Exts. W/2 to 5 are documents connected with the charge-report. It is necessary to state, however, that both in the appointment letters, Exts. M/1 and M/14, referred to above, para 1 of the terms and conditions runs as follows:—

"That your appointment is on a purely temporary basis for the supervision of stocks pledged in the account of Messrs Illava & Sons. Your services can, however, be terminated at any time during the currency of the account by giving you seven days notice and would come to an automatic end on the adjustment of the said account or when the party refused to pay to the Bank salary for the godown-keeper. For the present your appointment is for a period of one month which may be extended by us in writing from time to time."

It will be seen that the total period of appointment under these letters of appointment and extensions comes to three years and two months.

10. For the purpose of the present issue, the relevant directions are contained in Paragraph 499 of the Sastry Award which may be usefully re-produced. These are as follows:—

"With regard to godown-keepers the workmen demand that they should be made permanent after continuous service of one year or total service of two years if there is a break. We understand that godown-keepers can be classified into two categories: (1) those in charge of godowns maintained by banks generally in large cities for storing goods belonging to several parties to whom advances are made, (2) those who are required to look after one or more godowns belonging generally to one party to whom advances are made ordinarily for short periods against goods stored in the borrower's godowns, such as in the case of godowns of sugar Mills, spinning factories, grain merchants etc. In the case of godown-keepers coming under the first category we direct that the period of temporary service should not exceed one year after the expiry of which they should be placed on the permanent list unless the vacancy itself is a temporary one. In the case of persons coming under the second category whose work is of a temporary nature and whose salary and allowances are generally borne by the parties who are owners of the goods in the godowns, we do not think it proper to insist upon their confirmation even after the expiry of any definite period, particularly as we understand that their emoluments and service conditions in actual practice are not generally different from those of the permanent employees. We, however, recommend that as far as possible such godown-keepers whose work is found to be satisfactory and whose

services can be utilized to look after other godowns in the same place or a place nearby or in the clerical establishment of the banks should be made permanent after the expiry of one year."

It will be seen that the learned Tribunal classified godown-keepers into two categories, the first being those in charge of godowns maintained by banks generally in large cities. Obviously, Shri M. L. Wahi does not come under this first category since Barwaha outstation is neither by itself a large city nor is it part of any town group. According to the Census Report of 1961, Indore is an independent city with a Municipal Corporation and having no constituent town units. At page 192 of Chap. IV of cities, town groups and towns of the Census Report Barwaha at item No. 86 is shown as a separate town, with a population of 11,188 with the status of a Municipality. In the second category of godown-keepers are those who are required to look after one or more godowns belonging generally to a party to whom advances are made ordinarily for short periods against goods stored in the borrower's godowns. For godown-keepers of the second category, whose work is of a temporary nature and whose salaries and allowances are generally borne by the parties who are the owners of the goods in the godowns, the learned Tribunal did not consider it proper to insist upon their confirmation even after the expiry of any definite period but made a recommendation that as far as possible, godown-keepers, whose work is found satisfactory and whose services could be utilized to look after other godowns in the same place or a place nearby or in the clerical establishment of the bank should be made permanent after the expiry of one year. Admittedly the nature of service of Shri M. L. Wahi, throughout, under the letters of appointment or extensions which were duly acknowledged was temporary and the appointments were all made against a temporary vacancy. Barwaha outstation godowns were finally closed on 10th July 1963. According to the definitions in Paragraph 508 of the Sastry Award a "temporary employee" means an employee who has been appointed for a limited period for work which is of an essentially temporary nature, or who is employed temporarily as an additional employee in connection with a temporary increase in work of a permanent nature. According to the definition and according to the terms of appointment also there can be no doubt, therefore, that Shri M. L. Wahi was throughout a temporary employee. The only question is whether, under the terms of Paragraph 499 of the Sastry Award, he was entitled to be made permanent after the expiry of one year or of any longer period. As already stated, the workman came under the second category of godown-keepers, as defined in Para. 499, whose work was of a temporary nature and whose salary and allowances were generally borne by the parties who were the owners of the goods in the godowns. That the salaries were paid by such owners is indicated by the letters of appointment, Exts. M/1 and 14, para. 1 in which it was stipulated that his services would come to an automatic end on the adjustment of the account in question or when the party refused to pay the salary of the godown-keeper. From an affidavit dated 30th March 1964, filed by Shri Inder Dev Vig, Manager of the Indore City Branch of the Bank, it appears that the salary of Shri Wahi was recovered every month from the parties whose godowns he used to supervise during the period he looked after the stocks of B.O. Indore City exclusively and for the period he looked after the stocks of the Pay Office Mhow Cantt. his salary as godown-keeper was recovered from the parties only for the months of August, September and October 1961. For the remaining period of his supervision of the godowns controlled by the Mhow Cantt. Pay Office his salaries were not recovered from the parties in terms of Head Office sanction which stipulated that if the debit balance in the account was over rupees one lac, no such recovery be made. It will thus be seen that for a period of two years and three months out of the total period of three years and two months during which Shri M. L. Wahi worked as a temporary godown-keeper his salary was actually recovered from the parties. It is, therefore, a case of a godown-keeper whose work is of a temporary nature and whose salaries and allowances were generally borne by the parties who were owners of the goods in the godowns, as envisaged in Paragraph 499 of the Sastry Award. In such cases the learned Tribunal did not consider it proper to insist upon their confirmation even after the expiry of any definite period. Only a recommendation was, however, made that as far as possible such godown-keepers, whose work was found to be satisfactory and whose services could be utilized to look after other godowns in the same place or a place nearby or in the clerical establishment of the banks should be made permanent after the expiry of one year. It is obviously not a direction which was mandatory and whether to accept the recommendation or not in a particular case was discretionary with the management.

11. On the question, whether the work of Shri Wahi was satisfactory or not, Shri M. K. Jain has drawn my attention to the fact that there was an inspection of the godowns at outstation Barwaha on the 24th and 25th December during which

certain shortages were found in the godowns relating to the accounts of M/s Gopal Das and Bros. and M/s. Kaluram Laxman. These shortages and irregularities found are contained in the memo. Ext. M/42 dated 9th January 1963, issued to Shri Madan Lal Wahi, and it was stated therein that the authorities took a serious view of the shortages and other discrepancies discovered in the godowns for which he was responsible. It was observed that there had been gross negligence and neglect of duty on his part and he was asked to submit his explanation on each point at an early date. The explanation is dated 20th January and is marked as Ext. M/43 and, although it was not followed up by any formal action for misconduct, it appears from the concluding portions of the explanation that Shri Wahi practically admitted some of the irregularities and made a promise that such things would not happen in future and that he would satisfy the parties by his work in future. Although after the date of this explanation there were two further extensions of one month each by letters Exts. M/39 and 40, it is quite conceivable that a consideration of the matters disclosed by Exts. M/42 and M/43 in relation to the inspection of the godowns finally led the management of the Bank to decide not to grant further extensions to Shri Wahi. The last period of extension of one month under Ext. M/40 expired on 10th February 1961 and by the letter Ext. M/41 Shri Wahi was required to hand over charge on that very date. It appears, therefore, to be a case of automatic termination of the temporary appointment on the expiry of the term of extension. I have already shown, that under the terms of the Award in Paragraph 499, Shri Wahi could not claim to be made permanent after the expiry of one year or more of his temporary appointment.

12. Shri Bharadwaj has, however, argued that under sub-para. (4) of Paragraph 522 of the Sastri Award, which lays down that the services of any employee other than a permanent employee or probationer may be terminated and he may leave service after fourteen days' notice, Shri Wahi was entitled to at least fourteen days notice before termination of his services. This direction cannot, however, be made applicable to a case like the present one where the employee was relieved on the very date of termination of the period of extension. In such a case naturally there would be automatic termination of the appointment and no notice of fourteen days or otherwise seems to have been necessary. In the alternative, Shri Bharadwaj has argued that under para. 1 of the terms of appointment of Exts. M/1 and 14 Shri Wahi was entitled to at least a seven days' notice. That condition also would have obviously been applicable only where it was sought to terminate the appointment during the period of extension of one month. In this connection my attention was drawn to a decision of the Central Government Industrial Tribunal, Bombay, Shri Salim M. Merchant, in reference No. CGIT-34 of 1962. In practically similar circumstances the learned Tribunal by its award dated 30th January 1963 held that the services of the workman, who was also a temporary employee in that case, automatically came to an end on the date up to which his services were continued for one month and there was no need for the bank to give him fourteen days' notice before termination of his services.

13. For the foregoing reasons, I hold, on Issue No. 2, that the Bank was justified in terminating the services of Shri Madan Lal Wahi and that he is entitled to no relief in the matter of termination of his services.

14. I, however, direct the Bank to make payment of the difference in wages on the basis of his having been an employee of an Area II office throughout his period of employment, as already specified under Issue No. 3.

15. The award will be implemented within two months of its publication in the Official Gazette.

(Fifteen pages)

The 30th April, 1964.

(Sd.) ANAND NARAIN KAPUR,
Central Govt. Industrial Tribunal, Delhi.
[No. 51(63)/63-LRIV.]

ORDERS

New Delhi, the 19th May 1964

S.O. 1874.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bombay Port Trust, Bombay and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay constituted under section 7A of the said Act.

SCHEDULE

1. Whether the Bombay Port Trust Administration is justified in forming a unified cadre of Technical Assistants and Station Attendants of the Engineering Department?
2. Whether the *inter se* seniority in the unified cadre has been fixed on correct principles?
3. To what relief are the Technical Assistants entitled?

[No. 28/27/64-LRIV.]

S.O. 1875.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bombay Chamber of Commerce and Industry and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay constituted under section 7A of the said Act.

SCHEDULE

(1) Whether the demands of the Senior Measurers and Junior Measurers of the Bombay Chamber of Commerce and Industry, Bombay, in respect of the following are justified?

- (i) Revision of pay scales and fixation.
- (ii) Promotion.
- (iii) Increase in the number of Staff, proper classification and categorisation.
- (iv) Medical benefits.
- (v) Travelling Allowance.
- (vi) Overtime.
- (vii) Work on weekly day of rest.
- (viii) Coincidence of weekly off with declared holiday.

(2) If so, to what relief are the employees entitled and from what date?

[No. 28/25/64-LRIV.]

New Delhi, the 21st May 1964

S.O. 1876.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Indian Overseas Bank Limited and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri S. Ganapatia Pillai shall be the Presiding Officer, with headquarters at First Line Beach, Madras and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

Whether having regard to the directions contained in the Award dated the 21st July, 1962 of the National Industrial Tribunal (Bank Disputes) at Bombay, published with the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 2603, dated the

7th August, 1962 the management of the Indian Overseas Bank Limited, was justified in declaring bonus to their workmen for the year 1962 at the rate of $1\frac{1}{2}$ months basic pay; special allowance and officiating allowance? If not, to what quantum of bonus are the workmen entitled?

[No. 51(30)/64-LRIV.]

O. P. TALWAR, Under Secy.

New Delhi, the 21st May 1964

S.O. 1877.—In exercise of the powers conferred by sub-section (3) of section 5A, read with section 9 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby appoints Sarvashri A. B. Ananthakrishnan and P. Thandavakrishna Naidu as members of the Madras Dock Labour Board *vice* Sarvashri K. S. G. Haja Shareef and Nagarathna Mudaliar to represent the employers of dock workers and makes the following further amendments in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 1372, dated the 19th May, 1960, namely:—

In the said notification, under the heading "*Members representing the employers of dock workers and shipping companies*" in items (1) and (2), for the entries "Shri K. S. G. Haja Shareef" and "Shri Nagarathna Mudaliar", the entries "Shri A. B. Ananthakrishnan" and "Shri P. Thandavakrishna Naidu", shall respectively be substituted.

[No. 524/4/60-Fac.]

K. D. HAJELA, Under Secy.

MINISTRY OF IRRIGATION & POWER

New Delhi, the 18th May 1964

S.O. 1878.—In exercise of the powers conferred by sub-section (1) of Section 36 of the Indian Electricity Act, 1910 (9 of 1910), the Central Government hereby appoints with immediate effect and until further orders, Shri D. G. Shinde, Director (Commercial), Central Water and Power Commission (Power Wing) to be the Electrical Inspector for the Electrical Installations belonging to or under the control of the following Ministries/Departments of the Government of India:—

- (I) Ministry of Information and Broadcasting (All India Radio).
- (II) Ministry of Works and Housing (Central Public Works Department).
- (III) Ministry of Transport:—
 - (i) Cochin and Kandla Ports;
 - (ii) Civil Aviation; and
 - (iii) India Meteorological Department.
- (IV) Department of Communications (Overseas Communications Service).

[No. EL-II-3(7)/62.]

V. B. ESWARAN, Dy. Secy.

MINISTRY OF FINANCE

(Department of Revenue & Company Law)

ESTATE DUTY.

New Delhi, the 22nd May 1964

S.O. 1879.—In exercise of the powers conferred by sub-section (2A) of section 4 of the Estate Duty Act, 1953 (34 of 1953) and in supersession of the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 21/F. No. 1/43/63-ED, dated the 2nd September, 1963, the Central Government hereby appoints the persons mentioned in column (1) of the Schedule below as

Appellate Controllers of Estate Duty, with headquarters at the place mentioned against each of them in column (2) of the said Schedule:—

SCHEDULE

Name of the Appellate Controller (1)	Headquarters (2)
1. Shri P. K. Sinha, Commissioner of Income-tax.	Delhi
2. Shri A. M. Ramakrishnan, Appellate Assistant Commissioner of Income-tax.	Calcutta
3. Shri K. C. Mahadevan, Appellate Assistant Commissioner of Income-tax.	Bombay
4. Shri S. N. Sen, Appellate Assistant Commissioner of Income-tax.	Delhi
5. Shri S. B. Jain, Appellate Assistant Commissioner of Income-tax.	Madras

This notification shall come into force on the 1st June, 1964.

[No. 35/F. No. 1/20/64-ED.]

M. D. VERMA, Dy. Secy.

CENTRAL BOARD OF DIRECT TAXES

ESTATE DUTY

New Delhi, the 22nd May 1964

S.O. 1880.—In exercise of the powers conferred by sub-section (2A) of Section 4 of the Estate Duty Act, 1953 (34 of 1953) read with sub-section (2) of section 8 of the Central Boards of Revenue Act, 1963 (54 of 1963) and in supersession of the notification of the late Central Board of Revenue No. 22/F. No. 1/43/63-ED, dated the 2nd September, 1963, the Central Board of Direct Taxes hereby directs that with effect from the 1st June, 1964, Shri P. K. Sinha, a Commissioner of Income-tax, shall perform the functions of an Appellate Controller of Estate Duty throughout India in respect of:—

- (a) the estates of deceased persons assessed to estate duty on or after the 1st July, 1960, by a Deputy Controller of Estate Duty exercising his functions as such;
- (b) the estates of deceased persons in relation to which an appeal lies under section 62 of the Estate Duty Act, 1953, against an order passed on or after the 1st July, 1960, by a Deputy Controller of Estate Duty exercising his functions as such.

2. This notification shall come into force on the 1st June, 1964.

[No. 36/F. No. 1/20/64-ED.]

S.O. 1881.—In exercise of the powers conferred by sub-section (2A) of Section 4 of the Estate Duty Act, 1953 (34 of 1953) read with sub-section (2) of section 8 of the Central Boards of Revenue Act, 1963 (54 of 1963), the Central Board of Direct Taxes hereby directs—

- (1) that with effect from the 1st June, 1964, Shri A. M. Ramakrishnan, an Appellate Assistant Commissioner of Income-tax, appointed to be an Appellate Controller of Estate Duty by the notification of the Government of India, Ministry of Finance (Department of Revenue & Company Law) No. 35/F. No. 1/20/64-ED., dated the 22nd May, 1964,

shall perform the functions of an Appellate Controller of Estate Duty in respect of—

- (a) the estates of deceased persons assessed to estate duty on or after the 1st July, 1960, by an Assistant Controller of Estate Duty, and
- (b) the estates of deceased persons in relation to which an appeal lies under section 62 of the Estate Duty Act, 1953, against an order passed on or after the 1st July, 1960, by an Assistant Controller of Estate Duty,

where such Assistant Controller has in exercise of his functions under the Estate Duty Act, 1953, made such assessments or passed such orders—

- (i) in any area comprised within the jurisdictions of the Commissioners of Income-tax mentioned below:—

Commissioner of Income-tax, West Bengal I,
 Commissioner of Income-tax, West Bengal II,
 Commissioner of Income-tax, West Bengal III,
 Commissioner of Income-tax, Assam, Nagaland, Tripura and Manipur,
 Commissioner of Income-tax, Bihar and Orissa; or

- (ii) in respect of any of the estates of the deceased persons who were being assessed to income-tax in the jurisdiction of the Commissioner of Income-tax (Central), Calcutta;
- (2) that with effect from the 1st June, 1964, the Appellate Controller functioning immediately before that date shall cease to perform the functions of an Appellate Controller of Estate Duty in respect of the matters specified in sub-clauses (a) and (b) of clause (1).

2. This notification shall come into force on the 1st June, 1964.

[No. 37/F. No. 1/20/64-ED.]

S.O. 1882.—In exercise of the powers conferred by sub-section (2A) of section 4 of the Estate Duty Act, 1953 (34 of 1953) read with sub-section (2) of section 8 of the Central Boards of Revenue Act, 1963 (54 of 1963), the Central Board of Direct Taxes hereby directs—

- (1) that with effect from the 1st June, 1964, Shri K. C. Mahadevan, an Appellate Assistant Commissioner of Income-tax, appointed to be an Appellate Controller of Estate Duty by the notification of the Government of India, Ministry of Finance (Department of Revenue and Company Law) No. 35/F. No. 1/20/64-ED., dated the 22nd May, 1964, shall perform the functions of an Appellate Controller of Estate Duty in respect of—

- (a) the estates of deceased persons assessed to estate duty on or after the 1st July, 1960, by an Assistant Controller of Estate Duty, and
- (b) the estates of deceased persons in relation to which an appeal lies under section 62 of the Estate Duty Act, 1953, against an order passed on or after the 1st July, 1960, by an Assistant Controller of Estate Duty,

where such Assistant Controller has in exercise of his functions under the Estate Duty Act, 1953, made such assessments or passed such orders—

- (i) in any area comprised within the jurisdictions of the Commissioners of Income-tax mentioned below:—

Commissioner of Income-tax, Bombay City I,
 Commissioner of Income-tax, Bombay City II,
 Commissioner of Income-tax, Bombay City III,
 Commissioner of Income-tax, Ahmedabad I,
 Commissioner of Income-tax, Ahmedabad II,
 Commissioner of Income-tax, Poona; or

- (ii) in respect of any of the estates of the deceased persons who were being assessed to income-tax in the jurisdiction of the Commissioner of Income-tax (Central), Bombay;

- (2) that with effect from the 1st June, 1964, the Appellate Controller functioning immediately before that date shall cease to perform the functions of an Appellate Controller of Estate Duty in respect of the matters specified in sub-clauses (a) and (b) of clause (1).

2. This notification shall come into force on the 1st June, 1964.

[No. 38/F. No. 1/20/64-ED.]

S.O. 1883.—In exercise of the powers conferred by sub-section (2A) of Section 4 of the Estate Duty Act, 1953 (34 of 1953) read with sub-section (2) of section 8 of the Central Boards of Revenue Act 1963 (54 of 1963), the Central Board of Direct Taxes hereby directs—

- (1) that with effect from the 1st June, 1964, Shri S. N. Sen an Appellate Assistant Commissioner of Income-tax, appointed to be an Appellate Controller of Estate Duty by the notification of the Government of India, Ministry of Finance (Department of Revenue & Company Law) No. 35/F. No. 1/20/64-ED, dated the 22nd May, 1964, shall perform the functions of an Appellate Controller of Estate Duty in respect of—

- (a) the estates of deceased persons assessed to estate duty on or after the 1st July, 1960, by an Assistant Controller of Estate Duty, and
- (b) the estates of deceased persons in relation to which an appeal lies under section 62 of the Estate Duty Act, 1953, against an order passed on or after the 1st July, 1960, by an Assistant Controller of Estate Duty,

where such Assistant Controller has in exercise of his functions under the Estate Duty Act 1953, made such assessments or passed such orders—

- (i) in any area comprised within the jurisdictions of the Commissioners of Income-tax mentioned below:—

Commissioner of Income-tax, Delhi and Rajasthan,

Commissioner of Income-tax, Punjab, Jammu and Kashmir and Himachal Pradesh,

Commissioner of Income-tax, Uttar Pradesh,

Commissioner of Income-tax, Madhya Pradesh, Bhandara and Nagpur; or

- (ii) in respect of any of the estates of the deceased persons who were being assessed to income-tax in the jurisdiction of the Commissioner of Income-tax, (Central), Delhi;

- (2) that with effect from the 1st June, 1964, the Appellate Controller functioning immediately before that date shall cease to perform the functions of an Appellate Controller of Estate Duty in respect of the matters specified in sub-clauses (a) and (b) of clause (1).

2. This notification shall come into force on the 1st June, 1964.

[No. 39/F. No. 1/20/64-ED.]

S.O. 1884.—In exercise of the powers conferred by sub-section (2A) of section 4 of the Estate Duty Act, 1953 (34 of 1953) read with sub-section (2) of section 8 of the Central Boards of Revenue Act, 1963 (54 of 1963), the Central Board of Direct Taxes hereby directs—

- (1) that with effect from the 1st June, 1964, Shri S. B. Jain, an Appellate Assistant Commissioner of Income-tax, appointed to be an Appellate Controller of Estate Duty by the notification of the Government of India, Ministry of Finance (Department of Revenue & Company Law) No. 35/F. No. 1/20/64-ED, dated the 22nd May, 1964, shall perform the functions of an Appellate Controller of Estate Duty in respect of—

- (a) the estates of deceased persons assessed to estate duty on or after the 1st July, 1960, by an Assistant Controller of Estate Duty, and
- (b) the estates of deceased persons in relation to which an appeal lies under section 62 of the Estate Duty Act, 1953, against an order passed on or after the 1st July, 1960, by an Assistant Controller of Estate Duty,

where such Assistant Controller has in exercise of his functions under the Estate Duty Act, 1953, made such assessments or passed such orders—

- (i) in any area comprised within the jurisdictions of the Commissioners of Income-tax mentioned below :—

Commissioner of Income-tax, Madras,

Commissioner of Income-tax, Kerala,

Commissioner of Income-tax, Mysore,

Commissioner of Income-tax, Andhra Pradesh; or

- (ii) in respect of any of the estates of the deceased persons who were being assessed to income-tax in the jurisdiction of the Commissioner of Income-tax, (Central), Madras;

- (2) that with effect from the 1st June, 1964, the Appellate Controller functioning immediately before that date shall cease to perform the functions of an Appellate Controller of Estate Duty in respect of the matters specified in sub-clauses (a) and (b) of clause (1).

2. This notification shall come into force on the 1st June, 1964.

[No. 40/F. No. 1/20/64-ED.]

M. D. VERMA, Secy.